

STATE OF MISSOURI
DIVISION OF PURCHASING AND MATERIALS MANAGEMENT
DEPARTMENT PROCUREMENT AUTHORITY DELEGATION AND PROCEDURES
EFFECTIVE JANUARY 1, 2011

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I. PROCUREMENT AUTHORITY DELEGATED

A. Pursuant to section 34.100, RSMo, local procurement authority is hereby granted by the Commissioner of Administration to those State of Missouri executive branch departments that are governed by chapter 34, RSMo, (<http://www.moga.mo.gov/STATUTES/C034.HTM>). This delegation does not apply to the following that are exempt from chapter 34, RSMo:

- * Legislative Branch
- * Judicial Branch
- * Lottery Commission
- * Department of Transportation (except information technology, telecommunications, and printing)

A separate delegation of authority has been issued that applies to universities.

B. By accepting this delegation, the department acknowledges its ability and agreement to fulfill the requirements of chapter 34, RSMo, as well as the rules and regulations that are delineated in 1 CSR 40-1.010 through 1 CSR 40-1.090 (<http://www.sos.mo.gov/adrules/csr/current/1csr/1c40-1.pdf>). Additional information can be found in the SAM II Policies and Procedures (<http://mocoa.state.mo.us/accounting/Pages/Default.aspx>).

C. Acceptance of this delegation of local procurement authority shall not preclude the department from submitting any procurement to the Office of Administration, Division of Purchasing and Materials Management (DPMM) for processing.

D. The authority delegated herein shall be applied to the procurement of supplies in accordance with the requirements of chapter 34, RSMo, and the procedures described in this document.

As defined in section 34.010, RSMo, the term "supplies" means: "supplies, materials, equipment, contractual services, and any and all articles or things, except for utility services regulated under chapter 393, RSMo..."

E. Departments, through competitive bidding in accordance with section 34.040, RSMo, may award:

1. a single Local Purchase Order with a total value of less than \$25,000;
2. a local contract/price agreement with a total value of less than \$25,000 for an initial contract/price agreement period not-to-exceed 12 months. The department may include renewal options not to exceed 12 months per option in the contract/price agreement. The total value of each option must be less than \$25,000 for each renewal period. **See exception under Q. Information Technology and Telecommunication Equipment and Services.**

F. Local Purchase Authority shall not be used for procurements listed below. These procurements must be referred to the DPMM for processing.

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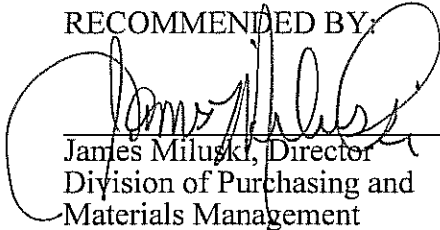
1. Supplies available on current department, statewide, or blanket contract/price agreements; unless specifically allowed by the contract terms.
 2. Vehicles
 3. Supplies for which the award of a single Local Purchase Order has a total value of \$25,000 or more. **See exception under Q. Information Technology and Telecommunication Equipment and Services.**
 4. Supplies for which a series of periodic Local Purchase Orders will have an aggregate value of \$25,000 or more within the same fiscal year or a period not to exceed 12 months.
 5. Supplies for which the award of a local contract/price agreement has a total value of \$25,000 or more within the contract/price agreement period not-to-exceed 12 months. **See exception under Q. Information Technology and Telecommunication Equipment and Services.**
 6. Single feasible source procurements exceeding \$5,000.
 7. Procurements that will utilize lease/purchase financing or lease with purchase option.
 8. Multi-year rental agreements. Agencies may enter into rental agreements for supplies if the period of rental does not exceed 12 months. Renewal options may also be in the rental agreement so long as the options also do not individually exceed 12 months each. No ownership or buy-out can occur at the end of the rental.
 9. Procurements that will utilize a competitive negotiation process as defined in sections 34.040 and 34.042, RSMo.
- G.** The department may delegate all or part of its local procurement authority to its sub-agencies. However, any department or employee assigned responsibility to conduct procurement activities must be furnished with a copy of this document or a department procedure that stipulates the same requirements. Departments may set forth a more restrictive procedure.
- H.** This delegation is subject to random compliance reviews by representatives of the DPMM. The authority granted may be rescinded at any time, in whole or in part, for any individual department that fails to correct deficiencies noted during the compliance review.
- I.** This delegation and procedures may be amended or rescinded, as a whole or in part, by the DPMM at any time. When conditions and circumstance permit, the departments shall be provided with a 30-day advance written notice of any change in this delegation and procedures.
- J.** Nothing stated in this delegation and procedures shall be construed to confer authority for any purpose or reason contrary to any state law, appropriation, or executive order.

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K. This delegation and procedures do not apply to capital improvements. All public works/capital improvement (design, construction, renovation, and repair of state facilities) procurements, except for those processed by the Department of Conservation and institutions of Higher Education, must be reviewed by the Office of Administration, Division of Facilities Management, Design and Construction per chapter 8, RSMo (<http://www.moga.mo.gov/STATUTES/C008.HTM>).

This delegation and procedures are hereby authorized effective January 1, 2011, to remain in effect until rescinded or amended in writing.

RECOMMENDED BY:


James Miluski, Director
Division of Purchasing and
Materials Management

APPROVED BY:


Kelvin Simmons, Commissioner
Office of Administration

I hereby accept this delegation of authority on behalf of the department and acknowledge the department's ability and agreement to abide by the requirements herein.

SIGNATURE _____
NAME _____
TITLE _____
DEPARTMENT _____
DATE _____

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II. REQUIREMENTS and PROCEDURES

In application of the local procurement authority delegated in Section I of this document, the department must comply with the requirements and procedures outlined in this section.

A. Americans with Disabilities Act

The department must ensure that all procurements require compliance with all applicable requirements and provisions of the Americans with Disabilities Act (ADA).

B. Awards

Pursuant to section 34.040, RSMo, all procurements must be awarded to the lowest and best bid. As defined in section 34.010, RSMo, in determining the “lowest and best”, cost and other factors (i.e., value, performance, quality, etc.) are to be considered in the evaluation process. “Value” includes, but is not limited to, price, performance, and quality. In assessing value, the department may consider the economic impact to the State of Missouri for Missouri products versus the economic impact of out of state products. Economic impact may include the revenues returned to the state through tax revenue obligations.

1. For any procurement with a value that exceeds **\$3,000**, the department must execute a SAM II purchase order unless the procurement qualifies for payment under exempt object codes and interagency purchases. Reference E. Contracting with a Governmental Entity and M. Exempt Object Codes.
2. Local purchase orders must not be split by issuing two or more orders to the same vendor or to multiple vendors in order to circumvent the limitations specified herein.
3. For the procurement of items classified as commodities (such as consumable supplies, maintenance materials, parts, and other miscellaneous purchases), in which a single transaction is less than **\$1,000 or card limit transaction**, including shipping and handling, the department may procure the commodities using the state purchasing card. Departments should refer to the State of Missouri Purchasing Card Policy & Procedure Manual issued by the Office of Administration, Division of Accounting for the procurement card procedures, responsibilities, billing payment and account distribution process, and lists of allowable and unallowable/excluded purchases. The manual is located online at <http://oa.mo.gov/acct/umb/index.htm>.

C. Competition

Pursuant to section 34.040, RSMo, the department must solicit competitive bids for each local procurement requirement valued over \$3,000. The department must solicit competitive bids for supplies for which a series of periodic local procurements will have an aggregate value over \$3,000 within the same fiscal year or a period not to exceed 12 months. The department is prohibited from splitting a local procurement among multiple purchase orders to avoid the competitive bid process. The department must, when possible, obtain a minimum of three (3) competitive bids:

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1. The phrase "solicit competitive bids" means that the department must provide legitimate opportunity for prospective vendors to compete. Pursuant to section 34.065, RSMo, when it is impractical to solicit all potential bidders, requests for bids must be sent to different vendors on a rotational basis.
2. The act of only identifying prospective vendors for documentation purposes without actually providing those vendors the opportunity to compete by soliciting prices and bid information does not constitute a solicitation of competitive bids.
3. A "no bid" response from a vendor may be counted towards the requirement for three (3) competitive bids provided that all "no bid" vendors could have reasonably been expected to submit a bid.

D. Confidentiality of Bids

The department must not reveal the price(s) or data quoted by any bidder to any other bidder or to any other person until after all quotations are received by the target date (RFQ) or closing date and time (IFB). Bidders are prohibited from changing quotations or submitting quotations once prices are revealed.

E. Contracting with a Governmental Entity

1. For procurements with a total value of less than \$25,000, department may contract with other departments or governmental entities for supplies or services **provided directly** by such entity without conducting a competitive bid process, pursuant to section 34.046, RSMo.
2. For procurements valued at \$25,000 or more, department may contract with a State of Missouri executive branch department governed by chapter 34, RSMo, for supplies or services **provided directly** by the chapter 34 department without conducting a competitive bid process.
3. For procurements with a total value or \$25,000 or more, the department may contract with other departments or governmental entities for supplies or services provided directly by such entity without conducting a competitive bid process, pursuant to section 34.046, RSMo, by requesting the DPMM establish an acknowledgement of contract (AOC). Reference the DPMM website for the procedures for establishing and renewing an AOC and the AOC Request Worksheet: <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm>.
4. Governmental entities are those who derive their funding from a public tax base, i.e. federal agencies, cities, counties, public school districts, colleges, etc. Quasi-public governmental bodies as defined in subdivision (f) of subsection 4 of section 610.010, RSMo, are **not included** in this definition.

F. Cooperative Purchasing, Using Other Governmental Entities' Contracts

If the department desires to participate in a cooperative purchasing agreement to procure supplies or services in excess of \$3,000 in accordance with a contract established by another governmental entity including the General Services Administration of the Federal

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Government, the department must submit a requisition (SAM II Non Pre-Encumbering Requisition [NR] document) to DPMM for processing.

G. Disposal of Surplus Property

Disposal of surplus property is within the authority and responsibility of the DPMM. Surplus property shall be disposed in accordance with Surplus Property's Policies and Procedures. Any exceptions require specific prior approval. Contact Surplus Property at surplusmail@oa.mo.gov or (573) 751-3415. Reference the DPMM website for the Surplus Property Policies and Procedures for State Agencies' Surplus Property: <http://oa.mo.gov/purch/surplus.html>.

H. Documentation Required

All documentation related to each procurement must be maintained in a centralized manner so that there is a clear audit path linking the solicitation process, evaluation, award, and payment. The department must maintain a current copy of the signed department procurement authority delegation and procedures within its location.

1. Pursuant to section 34.120, RSMo, the documentation must be preserved as an official public record for a period of five years unless directed otherwise by the DPMM, whichever is longer. The documentation should include the following:
 - a. Copy of solicitation document.
 - b. List of vendors solicited.
 - c. Original or copy of each written bid received.
 - d. Bid record/tabulation summary sheet.
 - e. Correspondence concerning the procurement.
 - f. Evaluation report.
 - g. A written explanation if the order is awarded to anyone other than the low bidder in the evaluation report.
 - h. Written justification for the use of a restrictive, proprietary, brand name, or no substitution specification.
 - i. Written documentation describing the emergency condition that existed if bids are not obtained due to emergency conditions.
 - j. Written documentation (hard or soft copy or SAM II text tables) describing the single feasible source procurement that existed.
 - k. Documentation verifying the **tax compliance status** and **work authorization** of each bidder must be maintained. The "Vendor No Tax Due" letter may be kept in the bid or contract file. Letters sent to bidders requesting a copy of their "Vendor No Tax Due" letter and any other

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correspondence pertaining to the tax compliance status of a bidder cannot be maintained in an open record such as the bid or contract folder unless the bidder authorizes the department to do so. Such documentation must be maintained in a separate file within the department. Reference the DPMM website for the work authorization guidelines and text: <http://agencyinfo.intra.state.mo.us/gslp.shtm> (See the Sections 285.525 - 285.550, RSMo, Guidelines and Text)

- l. A written explanation if the order is awarded to a non-Missouri manufacturer or service provider in the evaluation report.
- m. If federal funds are included in solicitation, then documentation, showing that the intended awardee(s) is not on the debarment list on the Excluded Parties List (EPLS) website <http://www.epls.gov>, must be maintained in the file (i.e., screen print documenting the search results for the particular vendor).

I. Emergency Procurement

1. Although an emergency procurement requires immediate action, in accordance with section 34.045, RSMo, emergency procurements must be made with as much competition as is practicable under the circumstances.
2. An emergency condition is statutorily defined as a situation in which "there exists a threat to life, property, public health or public safety or when immediate expenditure is necessary for repairs to state property in order to protect against further loss of, or damage to, state property, to prevent or minimize serious disruption in state services or to ensure the integrity of state records".
3. A situation shall not warrant an emergency procurement unless the resolution of the condition receives priority over routine operations of the department. Lack of planning does not constitute an emergency condition.
4. For any emergency procurement valued at \$25,000 or more, the department must, whenever possible, secure a prior approval from the DPMM Assistant Director at (573) 751-3273 before obtaining any supplies.
 - a. If the element of time does not permit the department to secure a prior approval by telephone, such as a night emergency or a medical emergency, the department is authorized to procure those supplies necessary to satisfy the emergency condition.
 - b. For emergency procurements valued at \$25,000 or more, the department must issue a SAM II purchase order that will route to DPMM for approval. The letter "E" must be entered in the SAM II purchase order's Order Type field to designate the procurement as an emergency. A written explanation of the emergency condition, a description of the supplies ordered, and a copy of the invoice must also be sent to DPMM.
 - c. If the documentation is acceptable, the purchase order will be approved.

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J. Employee Bidding/Conflict of Interest

The department must ensure any bidders who are employees of the State of Missouri, a member of the General Assembly or a statewide elected official must comply with sections 105.450 to 105.458, RSMo, regarding conflict of interest.

K. Energy Star Program

Pursuant to section 8.305, RSMo, the department should ensure that any appliance purchased with state moneys or a portion of state moneys shall be an appliance that has earned the Energy Star under the Energy Star program. The term “appliance” shall have the same meaning as in section 144.526, RSMo.

L. Evaluation of Bids

1. The department must specify the criteria and the relative weight of each criterion in the solicitation document if subjective evaluation is to be used.
2. The department should include minority representation on every committee utilized for evaluating bids. Minority representation is met by including an individual(s) who is a United States citizen and member of one of the following racial minority groups: Black, American Indian, Hispanic, Asian American, or other similar racial minority group. Committees of two but no more than five people should have at least one minority member. Committees of more than five people should have at least two minority members. Assistance in recruiting minorities for the role of evaluator may be obtained by contacting the Office of Administration, Office of Equal Opportunity at (573) 751-8130.

M. Exempt Object Codes

Certain expenditure object codes as listed and defined in the SAM II Chart of Accounts Manual are exempt from the requirements of chapter 34, RSMo. Refer to the Chart of Accounts for information on the SAM II Financial Policies and Procedures website (<http://www.mo.gov/mo/samii/fin/p&p.html>).

N. Federal Funds

When establishing a contract that will utilize federal funds, the department must check to see that the awardee has not been debarred or suspended by the Federal Government which would exclude the awardee from participating in procurements where federal funds are used (5 CFR Section 970.200). A list of parties excluded from federal procurement and non-procurement programs can be found at: <http://www.epls.gov/>. Reference the DPMM website for Federal Funds Requirements contractor language, Debarment Certification bidder language, and a Debarment Certification Exhibit: <http://agencyinfo.intra.state.mo.us/gslp.shtm> (See Federal Funds link). The department can use this language in its solicitations to comply with the provisions of this law.

O. Gratuities

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Department procurement personnel, evaluators, and any other persons involved in procurement decisions are prohibited from accepting for personal benefit: gifts, meals, trips, or any other item of significant value of a monetary advantage from a vendor.

P. HIPAA

The department and its contractors are both subject to and must comply with provisions of the Health Insurance Portability and Accountability Act of 1996 (HIPAA). Reference the DPMM website for HIPAA contractor language:

<http://agencyinfo.intra.state.mo.us/gslp.shtm> (See Business Associate Provisions link).

The department can use this language in its solicitations to comply with the provisions of this law.

Q. Information Technology and Telecommunication Equipment and Services

The OA, Information Technology Services Division (573-751-3290) is available for consultation with the department concerning their needs in the area of information technology and telecommunications. The DPMM will notify the Information Technology Services Division of all information technology and telecommunication equipment and services procurements that DPMM processes.

The department shall have the authority to purchase products and services related to information technology (not on a mandatory contract) when the estimated expenditure of the purchase shall not exceed seventy-five thousand dollars, the length of any contract or agreement does not exceed twelve months, and the department complies with the informal methods of procurement established in section 34.040, RSMo, and 1 CSR 40-1.050(1) for expenditures of less than twenty-five thousand dollars. The department must post the notice of such purchase on the online bidding/vendor registration system maintained by DPMM pursuant to section 34.047, RSMo. Information technology shall mean any computer or electronic information equipment or interconnected system that is used in the acquisition, storage, manipulation management, movement, control, display, switching, interchange, transmission, or reception of information, including audio, graphic, and text.

R. Liability for Violations

Pursuant to section 34.150, RSMo, certain state employees may be personally liable for the cost of any supplies, materials, equipment, or contractual services purchased contrary to the provisions of chapter 34, RSMo, or the rules and regulations made there under.

S. Methods of Solicitation

1. The department may utilize any of the following procurement methods below:

- * Invitation for Bid (IFB)
- * Request for Quotation (RFQ)
- * Single Feasible Source (SFS) - Reference BB. Single Feasible Source Procurement
- * Fax bids
- * Telephone bids
- * Catalog/Internet comparison
- * E-mail bids

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IFB - The IFB is a formal request for sealed bids and should be utilized any time weighted subjective criteria will be used in the evaluation of the bids. A description of and the relative weighing of the criteria (cost and subjective categories) must be stated in the IFB. IFB specifications are detailed, specific, and provide for very limited flexibility on the part of the bidders. Bids submitted in response to an IFB must be written, sealed, and delivered to the procurement office or the procurement office's secured electronic database by the date and time specified in the IFB. The name of the bidder as well as the price and other information (e.g., brand names, etc.) are read at a public bid opening or published through an electronic medium. Bids are available for public review immediately after opening. Awards shall be made to the bidder whose bid (1) complies with mandatory specifications and requirements of the IFB and (2) is the lowest and best bid, considering price, responsibility of the bidder, and all other evaluation criteria specified in the IFB.

RFQ - The RFQ is an informal request for prices that includes specifications that are detailed and do not provide flexibility or creativity on the part of the bidders. Bids submitted in response to an RFQ may be written, faxed, electronically submitted, or verbally submitted to the buyer and should be delivered to the procurement office by the target date and time stated in the RFQ. The method of response is identified in the RFQ. Bids may but are not normally opened at a public event. Evaluation of the bids is typically based on objective rather than subjective criteria. Low bid meeting specification requirements is the typical determining criterion. Awards shall be made to the bidder whose bid (1) complies with all mandatory specifications and requirements of the RFQ and (2) is the lowest and best bid, considering price, responsibility of the bidder, and all other evaluation criteria specified in the RFQ. At the option of the buyer, an award may be made immediately upon the expiration of the target date/time or the buyer may continue soliciting and receiving quotations for a reasonable time thereafter. The department may utilize the Request for Quotation form, #MO300-1224 available as a downloadable form at http://oa.mo.gov/gs/form/fm_indiv.htm.

2. The department should utilize the Bid Record, #MO 300-0162, for the recording of bids and no-bids solicited and received. The Bid Record form is available as a downloadable form at http://oa.mo.gov/gs/form/fm_indiv.htm.

T. Minority-Owned Business and Women-Owned Business Participation

The department must comply with all applicable laws, regulations, and executive orders affecting equal opportunity and nondiscrimination in the selection of contractors.

1. Affirmative action must be taken by the department to assure that minority-owned and women-owned businesses that are certified by the Office of Administration, Office of Equal Opportunity (OEO) are provided an equitable and fair opportunity to submit bids and proposals and to receive an award. Executive Order 05-30 states that all state agencies shall continue to make every feasible effort to target the percentage of goods and services procured from certified MBEs and WBEs to 10% and 5%, respectively. These efforts shall include participation in an Executive Branch Contract Compliance Council which shall, in cooperation with the OEO,

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review procurement efforts to assist in meeting the requirements of this Executive Order.

2. A minority-owned business must be at least fifty-one percent (51%) owned and controlled by one or more persons who are United States citizens and members of one of the following racial minority groups: Black, American Indian, Hispanic, Asian American, or other similar racial minority group.
3. A women-owned business must be at least fifty-one percent (51%) owned and controlled by women who are United States citizens.
4. The department must utilize the Missouri Minority/Women Business Enterprise Program Directory as a source for identification of potential bidders. The directory is available on the Internet at <http://www.oa.mo.gov/oeo>.
5. Departments should document that bids were sent to or awarded to minority (MBE) and women-owned (WBE) businesses. This information may be requested by DPMM during a Quality Assurance Review of the department. Documenting the resources used to locate MBEs/WBEs and identifying those product/service areas where MBEs/WBEs are not available is beneficial for the OEO. The department may utilize the services and assistance of the OEO (573-751-8130) to further identify and qualify prospective minority and women-owned businesses.
6. Certified minority and women-owned businesses should be utilized for a portion of non-bid business whenever economically feasible.
7. The department must ensure proper dissemination of the requirements for minority and women vendor participation to all sub-department locations that exercise a procurement responsibility pursuant to this delegation of authority.

U. Non-Discrimination and Affirmative Action

Pursuant to Executive Order No. 94-03, the following statement must appear on all contracts/price agreements or purchase orders (The statement is listed in the Terms and Conditions included with the purchase orders printed from the SAM II system.):

"In connection with the furnishing of equipment, supplies, and/or services under the contract, the contractor and all subcontractors shall agree not to discriminate against recipients of services or employees or applicants for employment on the basis of race, color, religion, national origin, sex, age, disability, or veteran status. If the contractor or subcontractor employs at least 50 persons, they shall have and maintain an affirmative action program that shall include:

- a. A written policy statement committing the organization to affirmative action and assigning management responsibilities and procedures for evaluation and dissemination;
- b. The identification of a person designated to handle affirmative action;
- c. The establishment of non-discriminatory selection standards, objective measures to analyze recruitment, an upward mobility system, a wage and

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salary structure, and standards applicable to layoff, recall, discharge, demotion, and discipline;

- d. The exclusion of discrimination from all collective bargaining agreements; and
- e. Performance of an internal audit of the reporting system to monitor execution and to provide for future planning.

If discrimination by a contractor is found to exist, the state shall take appropriate enforcement action which may include, but not necessarily be limited to, cancellation of the contract, removal from all bidders lists until corrective action is made and ensured, and referral to the Attorney General's Office, whichever enforcement action may be deemed most appropriate."

V. Offshore Services

- 1. Pursuant to Executive Order 04-09, each vendor submitting a bid to the State of Missouri shall be required to provide certification of the location where the contracted services are to be performed, and whether the vendor contemplates any of the work necessary to provide the contracted services being performed offshore.
- 2. The department shall require all current contractors to disclose whether any work pursuant to existing contracts is being performed offshore.
- 3. If during the term of a contract, the contractor or subcontractor has certified that work will be performed in the United States and proceeds to shift work outside of the United States, the contractor shall be deemed in breach of contract, unless the department has determined in writing that extraordinary circumstances require the shift of work or that a failure to shift the work would result in economic hardship to the State of Missouri.
- 4. No department shall award a contract to a vendor who contemplates performing work (or having a subcontractor perform work) pursuant to the contract at a site outside the United States, or does not provide disclosures as required above, unless one of the following conditions is met:
 - a. The vendor or its subcontractor provides a unique good or service; the particular good or service is deemed mandatory for the purposes of the purchasing department; and no comparable domestically-provided good or service can adequately duplicate the unique features of the good or service provided by the vendor or its subcontractor; or
 - b. The vendor or its subcontractor is a foreign firm hired to market Missouri services or products to a foreign country; or
 - c. A significant and substantial economic cost factor exists that outweighs the economic impact of providing the function or professional services within the United States, such that a failure to use the vendor or subcontractor's services would result in economic hardship to the State of Missouri; or

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- d. The vendor or its subcontractor maintains a significant business presence in the United States and only performs a trivial portion of work under the contract outside of the United States.

NOTE: Departments do not have to take Executive Order 04-09 in consideration for commodity purchases under \$25,000.

W. Open Records Requests

When requested, the department must provide access to its public procurement records in accordance with sections 610.021 and 610.23, RSMo. The department may charge the requester as set forth in section 610.026, RSMo. (<http://www.moga.mo.gov/STATUTES/C610.HTM>).

X. Procurement Authority

The delegation of authority and procedures for departments and universities, executive orders, rules and regulations, and state revised statutes pertaining to procurement are posted on DPMM's website at <http://www.oa.mo.gov/purch/governance.html>. The department should reference this website for the current version of these documents as well as any revisions to the current delegation of authority and procedures for departments.

Y. Protests

The department may use the following procedures for handling bid protests. A bid award protest must be submitted in writing and must be received by the department within ten (10) calendar days after the date of award. If the tenth day falls on a Saturday, Sunday, or state holiday, the period shall extend to the next state business day. A protest submitted after the ten (10) calendar day period shall not be considered.

The written protest should include the following information:

- ❖ Name, address, and phone number of the protester;
- ❖ Signature of the protester or the protester's representative;
- ❖ Solicitation number;
- ❖ Detailed statement describing the grounds for the protests; and
- ❖ Supporting exhibits, evidence, or documents to substantiate claim.

Z. Recycled and CFC Products

Pursuant to section 34.031 to 34.032, RSMo, departments must seek to increase recycling and the utilization of products made from recovered materials, and to eliminate the purchase of products made with halogenated chlorofluorocarbon (CFC).

Specific attainment goals are stipulated in section 34.031, RSMo, and section 34.032, RSMo: "Products that utilize recovered materials of a price equal to and quality comparable to products made from virgin materials must be sought and purchased, with particular emphasis on recycled oil, retread tires, compost materials, and recycled paper products".

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AA. SAM II Policies and Procedures

The SAM II Policies and Procedures provide guidance to all state agencies, regardless of their statutory authority for procurement, in the utilization of the SAM II system to manage their fiscal and statutory responsibilities related to procurements. The purchasing procedures and policies are organized in sections relative to the various activities associated with procurement as follows:

- COMMODITY CODE DATABASE ACTIVITIES
- REQUISITION PROCESSING
- ONLINE BID PROCESSING
- PRICE AGREEMENT PROCESSING
- ORDER PROCESSING
- RECEIPT OF SUPPLIES (RECEIVERS PROCESSING)

The policies/procedures are located at
<http://mocoa.state.mo.us/accounting/Purch/Pages/default.aspx>.

BB. Single Feasible Source Procurement

1. As defined in section 34.044, RSMo, a single feasible source procurement exists when:
 - a. Supplies are proprietary and only available from the manufacturer or a single distributor; or
 - b. Based on past procurement experience, it is determined that only one distributor services the region in which the supplies are needed; or
 - c. Supplies are available at a discount from a single distributor for a limited period of time.
2. For all single feasible source procurements **exceeding \$3,000 for supplies available at a discount for a limited period of time**, the department must request a specific procurement delegation from the DPMM Assistant Director at 573-751-3273 in lieu of submitting a requisition. If the single feasible source procurement for supplies available at a discount for a limited period of time is valued at \$5,000 or more, the DPMM, not the department, will be responsible for posting the single feasible source procurement.
3. Single feasible source procurements with a **value not exceeding \$5,000** within the same fiscal year or a period not to exceed 12 months, may be processed by the department in accordance with the following:
 - a. All single feasible source procurements **valued at \$5,000** must be posted in the public access area that other local procurement notices are posted. The posting should include: title, description, contract/price agreement period, renewal options, supplier, buyer, phone number, and posting date. The

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department shall maintain documentation as proof of the posting. DPMM recommends the posting should be done five days before contract award.

- b. A single feasible source procurement contract/price agreement may be established for an initial contract/price agreement period not-to-exceed 12 months. The department may include renewal options not to exceed 12 months per option in the contract/price agreement. For single feasible source procurements valued at \$5,000, the renewal option(s) must be included in the posting of the single feasible source procurement. Prior to exercising a renewal option, the department must determine if the procurement still meets the definition of a single feasible source procurement. If circumstances have changed and the procurement can no longer be defined as a single feasible source procurement, the department must competitively bid the procurement and not exercise the renewal option.
 - c. The file must be documented to explain how the procurement meets the legal definition of a single feasible source, the functionality of the supply that makes it a single feasible source, and why the functionality is the only one that will meet the needs of the department. If necessary, documentation from the vendor noting the single feasible source nature of the specific supplies should also be included. For single feasible source procurement contracts/price agreements that include renewal options, documentation must be included in the file for each renewal option exercised.
 - d. The letter “O” must be entered in the SAM II purchase order’s Order Type field to designate the procurement as a single feasible source.
4. For single feasible source procurements **exceeding \$5,000 and up to \$24,999.99** within the same fiscal year or a period not to exceed 12 months, the department must request a specific procurement delegation from the DPMM using the Single Feasible Source (SFS) Approval Request Worksheet MO 300-1872 - available on the Agency Information page on DPMM’s website at <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm> or similar document containing the same information. The request must include an explanation as to how the procurement meets the legal definition of a single feasible source, the functionality of the supply that makes it a single feasible source, and why the functionality is the only one that will meet the needs of the department. If necessary, documentation from the vendor noting the single feasible source nature of the specific supplies should also be included. The request must be submitted to the DPMM Section Manager (Commodities, IT, or Services) for the type of supply the department wishes to procure. The request may be faxed, e-mailed, or mailed to the DPMM Section Manager as indicated on the Single Feasible Source (SFS) Approval Request Worksheet. If the request is approved, the Section Manager will provide the department an approval number. Upon receiving the approval number, the department may process the SFS procurement in accordance with the following:
- a. The SFS procurement must be posted in the public access area that other local procurement notices are posted. The posting should include: title, description, contract/price agreement period, renewal options, supplier, buyer, phone number, and posting date. The department shall maintain

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documentation as proof of the posting. DPMM recommends the posting should be done five days before contract award.

- b. A single feasible source procurement contract/price agreement may be established for an initial contract/price agreement period not-to-exceed 12 months. If the DPMM Section Manager's approval covered renewal options, the department may include renewal options not to exceed 12 months per option in the contract/price agreement. The renewal option(s) must be included in the posting of the single feasible source procurement. Prior to exercising a renewal option, the department must determine if the procurement still meets the definition of a single feasible source procurement. If circumstances have changed and the procurement can no longer be defined as a single feasible source procurement, the department must competitively bid the procurement and not exercise the renewal option.
 - c. The file must be documented to explain how the procurement meets the legal definition of a single feasible source, the functionality of the supply that makes it a single feasible source, and why the functionality is the only one that will meet the needs of the department. If necessary, documentation from the vendor noting the single feasible source nature of the specific supplies should also be included. The documentation must also include the Approval Number provided by the DPMM Section Manager. For single feasible source procurement contracts/price agreements that include renewal options, documentation must be included in the file for each renewal option exercised.
 - d. The letter "O" must be entered in the SAM II purchase order's Order Type field to designate the procurement as a single feasible source.
5. For all single feasible sources **valued at \$25,000 or more**, the department must submit a requisition (SAM II Non Pre-Encumbering Requisition [NR] document or Quick Requisition [RXQ] document) to DPMM for all single feasible source procurements. The following information should be included with the requisition: (A) an explanation as to how the procurement meets the legal definition of a SFS; (B) an explanation of how the functionality of the supply makes it a SFS and why the functionality is the only one that will meet the needs of the agency; and (C) if necessary, documentation from the vendor noting the SFS nature of the specific supplies should be included. The letter "O" may be entered in the SAM II requisition's Requisition Type field to designate the procurement as a single feasible source.

CC. Special Approvals Required

Certain supplies, as indicated below, require review and resource manager approval prior to procurement. Resource Manager approval is obtained through two different methods. Approval for purchases of \$3,000 or less may be obtained off line while purchases that exceed \$3,000 must be approved as indicated below. NOTE: A purchase made with the state purchasing card for any amount requires offline approval. The written approval must be included in the department's documentation for all procurements unless it is applied online.

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1. Audits: All anticipated procurements for auditing services must be reviewed by the State Auditor's Office (573) 751-4213. The Auditor's office will respond with a memo rather than an approval number. Resource Manager approval will also be applied online in SAM II.
2. Automobiles: Any new vehicle purchase must be approved by the Office of Administration, Division of Purchasing and Materials Management (573) 751-2387. Resource Manager approval will be applied on-line in SAM II.
3. Banking and Related Service: All solicitations for banking and related services must be approved by the Treasurer's Office, Director of Banking (573) 751-9002. The State Treasurer's Office will respond via e-mail or memo to the Office of Administration/Division of Purchasing and Materials Management.
4. Fleet Vehicles: All purchases of new or used vehicles, including vehicles purchased from other departments or Surplus Property, that are less than 8,500 GVWR require prior approval. This prior approval requirement does not apply to law enforcement pursuit vehicles operated by POST certified law enforcement officers. Prior approval must be obtained by submitting a Vehicle Pre-Approval Form to the State Vehicle Fleet Manager in the Office of Administration, Division of General Services, Truman Building, Room 760, 301 West High Street, PO Box 809, Jefferson City, MO 65102-0809. Phone: (573) 751-0929 Fax: (573) 751-7819). Resource Manager approval will be applied online in SAM II upon the Vehicle Fleet Manager's approval of the Vehicle Pre-Approval Form. The Vehicle Pre-Approval Form is available on the State Fleet Management's website at <http://www.oa.mo.gov/gs/fm/index.htm>.
5. Forms: To obtain approval, department must contact their Customer Service Representative at the State Printing Center. The Customer Service Representative will provide the department with a form number that must be placed on the form. Resource Manager approval will not be applied online in SAM II. (section 37.330, RSMo)
6. Printing: Printing requirements sent to MVE do not require a waiver from the OA/State Printing Center. All other printing requirements shall be submitted to OA/State Printing Center for a prior approval in accordance with section 34.170, RSMo. The procedure for including printing services for professional and general service procurements is included on the OA/State Printing Center's website at <http://www.oa.mo.gov/gs/spc/waiver.htm>. Resource Manager approval will not be applied online in SAM II by the OA/State Printing Center but may be applied online by MVE. Printing requirements purchased from MVE will not require the online Resource Manager approval if commodity code 96258 – MVE Purchased Services/Supplies Only is used.
7. Insurance: Procurements for insurance and surety bond premiums, except health and life policies, will be post audited by the Office of Administration, Risk Management Unit (573) 751-4044. Resource Manager approval will not be applied online in SAM II.

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8. Missouri Vocational Enterprises: All supplies and services provided by MVE must be obtained from them unless MVE certified, in advance of the purchase, that such items are not currently available. Departments must also obtain approval from MVE prior to purchasing from another source supplies and services that are like or similar to supplies and services provided by MVE. Purchases from MVE, no matter the dollar value, are exempt from the bid process and local authority limitation of \$25,000. Contact MVE at (573) 751-6663 to determine availability or fax a Certificate of Release (request for waiver) to (573) 751-9197 (section 34.090, RSMo, and section 217.575, RSMo). Resource Manager approval will also be applied online in SAM II.

Supplies and services purchased from MVE will not require the online Resource Manager approval if commodity code 96258 – MVE Purchased Services/Supplies Only is used on the SAM II purchase order. Recycled content supplies purchased from MVE will not require the online Resource Manager approval if a MVE recycled commodity code is used on the SAM II purchase order. Reference the price agreement listed in the following sentence for the MVE recycled commodity codes. Departments may process a Quick Price Agreement (PGQ) or Service Contract (SC) purchase order document referencing Price Agreement C103035001 – Correctional Enterprises Contract that includes a price agreement line that includes commodity code 96258 as well price agreement lines that include commodity codes for various recycled content items.

9. Printing and Copying Equipment: Requirements for the purchase, lease, or rental of any equipment that falls within the types listed below requires approval from the Office of Administration, State Printing Center (573) 751-3307. (section 37.350, RSMo)

- * All printing equipment
- * Copiers capable of full four-color reproduction
- * Copiers producing in excess of 60 copies per minute
- * Special application copiers

Copiers available from a statewide contract do not require pre-approval unless otherwise noted on the notice of statewide contract. Resource Manager approval will not be applied online in SAM II.

DD. Special Delegations, Grant Acknowledgments, and Expenditure Registrations

If the department believes that special circumstances exist that require the use of a different process than those identified herein, the department may request through the DPMM a special delegation of authority (SDA), an acknowledgment of grant authority (PGA), or the establishment of an expenditure registration (ERS) using the SDA, PGA, or ERS Approval Request Worksheets available on the Agency Information page on DPMM's website at <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm>. The request must include all information requested on the worksheet. The department must not enter into a contract or agreement with the vendor prior to receiving approval from the DPMM.

1. **Special Delegation of Authority (SDA)** - The SDA allows the department to competitively bid and award contracts (price agreements) and purchase orders for predefined goods or services for a specific program in excess of \$24,999.99 per

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year. In order to obtain this authority the department must submit a request in accordance with the procedures on the Agency information page on DPMM's website at <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm> to the DPMM.

2. **Program Grant Authority (PGA)** – A department may have statutory authority to issue grants to persons or organizations (grantee) to accomplish a specific public purpose of support or program stimulation. In such situations the grantee is only obligated to use the funds for the legal purpose defined in the grant. The department (grantor) receives no direct benefit from the expenditure.

In order to provide a means for payment and for monitoring grant expenditures, the department must submit a request for Program Grant Authority (PGA), in accordance with the procedures on the Agency Information page on DPMM's website at <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm> to the DPMM.

3. **Expenditure Registration System (ERS)** – The Expenditure Registration System (ERS) has been established to recognize those situations in which the requirements of chapter 34, RSMo, for competitive bidding are negated by another state statute, federal regulation or court order.

While the goods or services being purchased would normally be subject to bid, the nature of the program precludes the use of competitive procurement methods. An example of this type of expenditure is payments to providers that are made on behalf of a department's client, when the client has sole discretion in selecting the provider (e.g. Medicaid Services, WIC Food Program). Payments that are ordered by a court are another example.

In order to establish an ERS, the department submits a request, in accordance with the procedures on the Agency Information page on DPMM's website at <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm> to the DPMM.

EE. Specifications

Pursuant to section 34.060, RSMo, specifications must be described with generic or functional terminology.

1. Specifications may be based upon brand name descriptions if generic or functional specifications are not possible provided that the phrase "or functional equivalent" is added as an inherent part of the description. If possible, the department must identify two or more brands equal to the specifications.
2. Specifications, delivery dates, vendor location, etc., shall not be manipulated in order to restrict competition.

In the event the evaluation of bids will be based on subjective criteria in conjunction with price, the subjective criteria and relative weights must be stipulated in the solicitation document.

FF. Submission of Requisitions

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The department must submit a requisition (SAM II Non Pre-Encumbering Requisition [NR] document or Quick Requisition [RXQ] document) to the DPMM to request the procurement of supplies that exceeds their local procurement authority. The department must submit a requisition to the DPMM to request the renewal or amendment of an existing price agreement established by the DPMM.

1. A single requisition should only include supplies of a similar nature.
2. A requisition should only contain one commodity line.
3. To determine the commodity code to enter on the requisition, reference the Price Agreement Vendor/Commodity (PAVC) table record of commodity lines on previous price agreement or Open Purchase Order Commodity Line by Document Inquiry (OPCD) table record of commodity lines on previous purchase order.
4. Specifications for a commodity line can be entered on the Requisition Text (RXTX) table. If the commodity code requires online Resource Manager approval, specifications must be entered on the RXTX table. A commodity code that requires Resource Manager approval has a code in the Approval Groups field on the Approval Details tab of the Commodity (COMT) table.
5. General information regarding the procurement (contract period, number of renewal options, list of recommended vendors, etc.) must be entered on the Note Pad Text (NOTE) table and not the RXTX table.
6. Supporting documentation sent/e-mailed to the DPMM must include the requisition transaction ID number (i.e., NR 300 34907000001).
7. The RXQ should be used in the following situations:
 - a. The solicitation will result in a fixed unit price purchase order.
 - b. The solicitation, order, and delivery of the supplies will occur within the current fiscal year.
8. The NR should be used in the following situations:
 - a. When the accounting distribution for the next fiscal year is not yet known.
 - b. To establish price agreements and orders for supplies needed during the next fiscal year in order to avoid interruption in the provision of the supplies.
 - c. To establish “as needed” type price agreements to facilitate order processing when the accounting distribution information will vary dependent on the department (e.g., a particular division within a department) ordering the supplies.
 - d. To renew or amend existing price agreements. (NOTE: A requisition requesting the renewal or amendment of an existing price agreement should only contain one commodity line.)

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- e. To establish revenue-generating price agreements.

GG. Technical Assistance

1. The DPMM will provide technical assistance and additional information, if requested, to the department, such as: names of potential bidders, managerial review, and consultation on procurement and evaluation methods, procedures, and records maintenance.
2. Technical assistance may be obtained by contacting the DPMM buyer assigned to a particular type of procurement.
3. Resource materials for state agencies can be found on DPMM's website on the Agency Information page located at <http://agencyinfo.intra.state.mo.us/agencyinfo.shtm>.

HH. Training

1. The department must ensure that professionalism is obtained and maintained by its procurement staff through an ongoing training program. A training plan must be developed for each member of the department's procurement staff to keep them knowledgeable of current procurement standards and requirements.
2. Upon request, the DPMM may provide training to satisfy the individual needs of the department. To obtain information or request training, contact the DPMM Program Review Coordinator at (573) 751-1108.
3. Training seminars are also available through various organizations, such as the Missouri Association of Public Purchasing, Inc. (MAPP). MAPP, a chapter of the National Institute of Governmental Purchasing, Inc. (NIGP), sponsors NIGP professional development seminars for MAPP members. Information on MAPP can be found at <http://www.mappi.org/>.
4. Individuals interested in becoming a Certified Professional Public Buyer (CPPB) or Certified Public Purchasing Officer (CPPO) through the Universal Public Purchasing Certification Council (UPPC) may find information on the experience and education requirements on NIGP's website (<http://www.nigp.org>).

II. Used Equipment Purchases

For procurements in which a department will accept used equipment, the department should state in the solicitation document that new or used equipment may be proposed. The solicitation document should include specification requirements that allow for the proposal of used equipment and include any limitations, such as age, mileage, maximum usage, etc. that the used equipment must meet. The solicitation document should state that the department reserves the right to award to the bidder whose bid complies with all mandatory specifications and requirements and is the lowest and best bid for new equipment or to the bidder whose bid complies with all mandatory specifications and requirements and is the lowest and best bid for used equipment.

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JJ. Vendor Tax Compliance

1. Pursuant to section 34.040.6, RSMo, and the vendor compliance guidelines for Section 34.040.6, RSMo, Vendor Compliance - Bids/Contract Renewals/Single Feasible Source, the department shall not contract for goods or services with a vendor if the vendor or an affiliate of the vendor makes sales at retail of tangible personal property or for the purpose of storage, use, or consumption in Missouri but fails to collect and properly pay the tax as provided in chapter 144, RSMo. An “affiliate of the vendor” shall mean any person or entity that is controlled by or is under common control with the vendor, whether stock ownership or otherwise.
2. Reference the DPMM website for the guidelines, letters, and additional information: <http://agencyinfo.intra.state.mo.us/gslp.shtm> (See Section 34.040.6, RSMo, Guidelines and Letters links).

KK. Work Authorization

1. Pursuant to section 285.530, RSMo, the department as a condition for the award of any contract or grant in excess of five thousand dollars by the state or by any political subdivision of the state to a business entity, or for any business entity receiving a state-administered or subsidized tax credit, tax abatement, or loan from the state, the business entity shall, by sworn affidavit and provision of documentation, affirm its enrollment and participation in a federal work authorization program with respect to the employees working in connection with the contracted services. Every such business entity shall sign an affidavit affirming that it does not knowingly employ any person who is an unauthorized alien in connection with the contracted services. (subsection 2 of section 285.530,RSMo). **Effective September 1, 2009**, any entity contracting with the state or any political subdivision of the state shall only be required to provide the referenced affidavit on an annual basis.
2. Reference the DPMM website for the guidelines and text <http://agencyinfo.intra.state.mo.us/gslp.shtm> (See Section 285.525-285.550 RSMo Guidelines and Text link).
3. **Executive Order 07-13** - All state contracts shall include a provision that allows the state to declare a breach and to cancel the contract immediately, with no penalty if the state had reasonable cause to believe that the contractor has knowingly employed individuals who are not eligible to work in the United States in violation of federal law.

The following clause has been added to the purchase order and SFS-COOP/RFP/IFB/RFQ terms and conditions to cover this provision:

“The contractor shall only utilize personnel authorized to work in the United States in accordance with applicable federal and state laws and Executive Order 07-13 for work performed in the United States”.

III. PREFERENCES

LL. Buy American Preference

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Buy American preference will not apply to any procurement estimated to be less than \$25,000. Buy American preference does not apply to services or software procurements regardless of dollar value.

MM. Buy Missouri Preferences

1. Pursuant to section 34.070, RSMo, and section 34.073, RSMo, preferences must be given to all commodities and tangible personal property manufactured, mined, produced, processed, or grown within the state of Missouri, to all new generation processing entities defined in section 348.432, RSMo, except new generation processing entities that own or operate a renewable fuel production facility or that produce renewable fuel, and to all firms, corporations or individuals doing business as Missouri firms, corporations, or individuals, when quality is equal or better and delivered price is the same or less or whenever competing bids, in their entirety, are comparable. For purposes of this section, "commodities" shall include any agricultural product that has been processed or otherwise had value added to it in this state.
2. Pursuant to subsection 3 of section 34.010, RSMo, "a Missouri product refers to goods or commodities, which are manufactured, mined, produced, or grown by companies in Missouri, or services provided by such companies in Missouri".
3. Pursuant to section 34.363, RSMo, the department shall make a good faith search of Missouri companies that provide Missouri manufactured products or services. Reference the DPMM website for a listing of Missouri products/service providers: (<http://agencyinfo.intra.state.mo.us/agencyinfo.shtm>). See the Missouri Small Business Development Centers link.
4. Pursuant to subsection 3 of section 34.363, RSMo, upon request of the Missouri company who applied for but was not awarded a state contract, the department for which the contract was awarded shall prepare a written explanation within 20 days of the award explaining why the Missouri manufacturer or service provider did not receive the award.
5. Pursuant to section 34.060, RSMo, all bid requests must contain the following language:

"By virtue of statutory authority, a preference will be given to materials, products, supplies, provisions and all other articles produced, manufactured, made or grown within the State of Missouri."

The IFB, RFQ, and RFP Terms and Conditions has a clause that contains this language.

6. **Reciprocity** - Pursuant to section 34.076, RSMo, the department shall observe reciprocity when a contractor or bidder domiciled outside the State of Missouri shall be required, in order to be successful, to submit a bid the same percent less than the lowest bid submitted by a responsible Missouri contractor or bidder for products or services valued at \$5,000 or more as would be the same for a Missouri contractor or bidder to succeed over the bidding contractor or bidder in a like

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contract or bid in the bidding contractor's or bidder's domiciliary state. The contractor or bidder domiciled outside the State of Missouri must submit an audited financial statement as would be required of a Missouri contractor or bidder on a like contract in the contractor's or bidder's domiciliary state.

Refer to the following website for the reciprocity law of each state: http://www.oregon.gov/DAS/SSD/SPO/reciprocal_detail.shtml. The department confirms if the state from which any out-of-state bids are submitted as an in-state preference; if so, since Missouri is a reciprocal preference state, the department applies same penalty against that vendor as a Missouri vendor would encounter if bidding in that state.

7. Pursuant to section 34.080, RSMo, a preference must be given to coal mined in the State of Missouri or an adjoining state if the cost is not greater than the delivered cost of coal mined in any other state or states.

NN. Missouri Calcium Initiative

Pursuant to section 34.375, RSMo, a department purchasing food or beverages to be processed or served in a state-owned or operated building or room shall give a preference to foods and beverages that contain a higher level of calcium than products of the same type and nutritional quality and are equal to or lower in price than products of the same type and nutritional quality. If the purchase of the high calcium food or beverage would interfere with the proper treatment and care of a patient, the department is not required to purchase the high calcium food or beverage.

OO. Missouri Service-Disabled Veteran Business

Pursuant to section 34.074, RSMo, a three-point bonus preference shall be given to service-disabled veteran businesses doing business as Missouri firms, corporations, or individuals, or which maintain Missouri offices or places of business.

Reference DPMM website for the guidelines and text: <http://agencyinfo.intra.state.mo.us/gslp.shtm> (Section 34.074, RSMo, Guidelines and Text link located under Preferences.)

PP. Organizations for the Blind and Sheltered Workshops

1. A bidding preference consisting of a ten-point bonus, as identified in section 34.165, RSMo, must be applied to bids for those supplies manufactured, produced or assembled in qualified nonprofit organizations for the blind established pursuant to the provisions of 41 U.S.C. Sections 46 to 48c, as amended and in sheltered workshops holding a certificate of approval from the department of elementary and secondary education pursuant to section 178.920, RSMo, if the participating nonprofit organization provides the greater of two percent or five thousand dollars of the total contract value of bids for purchase not exceeding ten million dollars. This preference applies to qualified organizations both within and outside the State of Missouri. Also, an affidavit signed by the director or manager and the board president of a participating nonprofit organization shall be provided to the purchasing agency by the contractor at the completion of the contract or within thirty days of the first anniversary of the contract, whichever first occurs, verifying

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compliance with the statute. Reference DPMM website for the guidelines and text: <http://agencyinfo.intra.state.mo.us/gslp.shtm> (Section 34.165, RSMo - Blind/Sheltered Workshop Guidelines and Text link located under Preferences.)

2. A listing of certified sheltered workshops can be found on the Internet at: <http://www.dese.mo.gov/divspeced/shelteredworkshops/index.html>.
3. The websites for The Lighthouse for the Blind-St. Louis and the Alphapointe Association for the Blind can be found at the following Internet addresses: <http://www.lhbindustries.com/> and <http://www.alphapointe.org>.

IV. PROGRAMS

QQ. Recycling Program

Obtain information on the recycling program at <http://oa.mo.gov/purch/recypro.html> or contact the DPMM State Recycling Coordinator at recycling@oa.mo.gov or (573) 751-3384.

RR. Surplus Property Program

Obtain information on the surplus property program at <http://oa.mo.gov/purch/surplus.html>. Contact the program at surplusmail@oa.mo.gov or (573) 751-3415.