


Office of Procurement Services
***1214 DHS Office of Procurement Services
Process***

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The Office of Procurement Services has the responsibility to process and coordinate all procurement functions for the Department of Human Services.

Through the State Purchasing Office, the Department of Administrative Services (DOAS) is the agency of state government charged with the responsibility for the establishment of contracts, leases, purchase orders, or other agreements for the procurement of supplies, materials, equipment, services, and construction, and for overseeing statewide and multi-agency contracts. All Divisions/Offices of the Department of Human Services (DHS) shall follow the State Laws (O.C.G.A. 50-5-50, et seq.) and State Purchasing Regulations, as prescribed in the Georgia Procurement Manual (GPM). Purchases for Technological solutions must include approval of DHS’ Office of Information and Technology (OIT), and the Georgia Technology Authority (GTA). Any purchase that is contrary to the rules and regulations established by State Purchasing shall be void and of no effect.

These procedures are intended to provide clarification on the processes adopted by DHS to ensure compliance with the State’s procurement laws, rules, and regulations.

Chapter 1. Competitive Bidding

In compliance with the rules of the State Purchasing Office, all purchases made by a state agency should be based on competitive bidding whenever possible. Purchases less than \$25,000.00 may be made without competitive bidding (O.C.G.A. 50-5-69). All contracts that are \$25,000.00 or greater shall be bid, unless it is with another governmental entity, fits the definition of a professional service contract, or is processed and approved as a sole source under the conditions listed below for sole source contracts. All contracts \$999,999.99 or less are processed through the Office of Contract Administration (OCA), under the delegated authority granted to the Department, utilizing State Purchasing Regulations.

All solicitation tools, including Request for Proposal (RFP), Request for Quote (RFQ), Request for Qualified Contractors (RFQC), Statement of Need (SON), Sole Source Verification, Consortia etc., shall be posted on the DOAS Procurement Registry website. All contracts greater than \$1,000,000.00 shall be processed through OPS, with the bidding processes facilitated by DOAS. OPS works with each Division/Office to ensure the appropriate solicitation tool is utilized and that the procurement effort complies with State Purchasing rules and regulations; and facilitates submission to DOAS. All communications with DOAS during the procurement process must be channeled through OPS.

Chapter 2. Information Technology (IT) Services

Divisions/Offices with procurement needs containing an IT component, shall request technical assistance from the DHS Office of Information Technology (OIT) in routing the request through the GTA, developing the technical specifications for the project, and creating the acquisition documents. The Division/Office shall contact OIT, advise them of the scope of the project, and schedule a consultation between the Division/Office, OIT, and OPS. OIT will assist the Division/Office to ensure the project has ETSC endorsement and complies with GTA guidelines. OPS will determine the appropriate procurement method or tool to be used to award the contract, assist the Division/Office in collaborating with OIT in developing the solicitation document (i.e., RFP, RFQ, RFQC, etc.), and will route the document through State Purchasing. OIT will coordinate the routing of the document and approval process by GTA prior to releasing to OPS.

All IT procurements, regardless of cost, must meet GTA standards and policies. Instructions regarding the GTA technology request process are available on the GTA website at www.gta.georgia.gov. Click on 1) Policies & Programs, and 2) Policies & Standards, and Guidelines (PSGs). Links are available within the GTA Technology Review Policy for agencies to access the necessary forms to submit to GTA for project requests (i.e. Agency Project Request Checklist.doc, Agency Project Request Instructions.doc, and Agency Project Request Template.doc.). OIT will lead and provide technical assistance in all issues regarding GTA's involvement. OPS will ensure the appropriate solicitation tool is utilized, and the procurement effort complies with State Purchasing rules and regulations, before submission to DOAS.

For technology procurements, OIT will support its customers with the development of evaluation materials that represent the full spectrum of the proposed solution and will assist in facilitating evaluation sessions and assisting the customer in preparation for contract negotiations.

Chapter 3. Request for Information

A Request for Information (RFI) is a formal process for soliciting information from vendors who have knowledge, experience, or information about the products or services required for a project. The RFI method is not intended to result in a contract award but is designed to allow for the collection of industry information that may be used to determine if a RFQ, RFP, or other solicitation method is appropriate.

The RFI should be used if there is not enough information or knowledge about the product or service needed to develop a Statement of Work for a RFQ, RFP, or other appropriate solicitation method.

Chapter 4. Human Service Contract

Procurement Methods

When a Division/Office identifies a need for a service, it shall schedule a consultation with OPS for the purpose of discussing the project concept, its purpose and objectives, specifications, etc. With this information, OPS shall determine the most appropriate procurement method/tool for the project. Standard procurement methods include:

4.1. Request for Proposal (RFP)

A Request for Proposal (RFP) is a formal solicitation method that seeks to leverage the creativity and knowledge of business organizations to solve a unique problem. The RFP solicits sealed price proposals from prospective vendors and seeks to obtain the “best value” for the state. The RFP method does not use the cost of the project as the single determining factor, but, rather, uses a combination of lowest cost plus best proposed solution to determine the award.

The RFP should be used if the project lends itself to the creation of a clear methodology and the objective of the solicitation is to identify a vendor who can offer the best possible solution to your problem at the most reasonable cost.

4.2. Request for Quotation (RFQ)

A Request for Quotation (RFQ) is a formal solicitation method that includes a well-defined specification or Scope of Work. The RFQ solicits sealed price quotations or bids from prospective vendors who are required to present documentation that they meet the minimum qualifications specific to the project.

The RFQ should be used if the project lends itself to the creation of a clear and accurate Statement of Work and the objective of the solicitation is to identify the most responsible vendor who can provide the required specifications at the lowest possible cost.

4.3. Request for Qualified Contractor (RFQC)

A Request for Qualified Contractor (RFQC) is used in cases where the Division/Office is attempting to find vendors with the qualifications to produce the product or service desired. This form of solicitation may, but does not always, culminate in a contract award.

In the RFQC process, the minimum required qualifications are known, and each vendor is judged on its ability to meet or surpass the required qualifications. Those vendors judged to meet the minimum requirements of the RFQC are placed on a List of Qualified Vendors. Each time such services are needed, a Statement of Need (SON) containing the specifications and requirements of the project will be generated and submitted to those vendors on the List of Qualified Vendors.

4.4. Sole Source Verification

Sole Source contracts shall meet the following criteria:

Before making a determination of Sole Source, research shall be conducted to determine if more than one service provider exists and can satisfy the procurement requirements. Sound procurement practice requires that sole source procurement be used when it is the only option, not as an attempt to contract with a favored service provider.

In some cases, circumstances beyond the control of the Department may necessitate an emergency procurement. Such needs will be considered on a case-by-case basis. Lack of advance planning will not constitute a need for an emergency procurement.

The following must be submitted to the Office of Procurement Services as justification to initiate the request to award a contract as a Sole Source:

- A. **Scope of Work:** Provide the information to establish the context of the sole source, such as the service function. Provide where and how the service is to be used, operational environment, previous experience or history. Identify any efforts made to locate other possible sources, such as review of Thomas Register, industry organizations, Internet searches, consultants, Requests for Information, Buyers Laboratory, advertisements, or industrial publications.
- B. **Exclusive Capability:** Describe the proposed supplier's unique capabilities and explain why this is the only source available. Some examples in which Sole Source could be acceptable are:
 - 1. When the proposed vendor developed a system for the Department, and having an alternative source to duplicate these capabilities would result in excessive cost to the Department. (Excessive cost shall be quantified.)
 - 2. When only one (1) supplier can satisfy the technical requirements because of unique technical competence or expertise. (Technical requirements shall be valid and verifiable. Branding is not considered a technical requirement and will not be sufficient to demonstrate exclusive capability.)
 - 3. When only one (1) source possesses patents or exclusive rights to manufacture or to furnish the service.
 - 4. Other extenuating circumstances or considerations include as applicable, adverse impacts on the Department if not using the proposed source, and other considerations not previously stated.

Requests for sole source contracts must include all of the information and justification listed above. OPS will make the determination as to whether or not the Sole Source justification is in alignment with DOAS State Purchasing, and sufficient to award a contract.

If there is a need to validate the justifications provided for a Sole Source procurement, OPS may publish the sole source instrument on the DOAS Procurement Registry for no less than ten (10) calendar days, to allow sufficient time to announce the intention of issuing a sole source contract, and for interested and capable vendors to respond. The information posted must be of sufficient detail so that any vendor reading the information can determine whether it meets the requirements to provide such service. If no vendor responds to the listing, other than the

intended sole source vendor, the contract may be processed as a sole source. However, if responses are received from additional vendors who are judged to meet the minimum requirements for the project, then a Request for Proposal (RFP), Request for Quote (RFQ), Statement of Need (SON) or other appropriate solicitation method must be used.

If no vendor, other than the intended sole source vendor, responds to the posted notice, the requested sole source contract may be processed without further solicitation.

Chapter 5. Professional Services Exemption

Contracts for professional services are specifically exempted from the bid process by law (O.C.G.A. 50-5-57). DOAS has interpreted professional services to be those listed in O.C.G.A. 14-7-2 (2) which are:

- Certified Public Accountancy
- Architecture
- Chiropractic
- Dentistry
- Interior Design
- Landscape Architecture
- Land Surveying
- Law
- Licensed or Accredited Appraisers
- Licensed or Accredited Financial Analysts
- Medicine and surgery
- Optometry
- Osteopathy
- Pharmacy
- Podiatry
- Professional Engineering
- Psychology
- Registered Professional Nursing
- Veterinary Medicine
- Harbor piloting

All contracts deemed to be a professional service shall contain sufficient information to demonstrate that it is a professional service contract, under the above definition, and shall be approved by the Division/Office Director or their assistant/deputy. The approved Sole Source Justification form will be forwarded to OPS for further processing. The Sole Source Justification form and the associated usage instructions are attached.

Divisions/Offices wishing to utilize the services of the exempted professionals listed above may be required to develop a Statement of Need with detailed description of the Scope of Work to be performed by the exempted organization. The organization will respond to the Statement of Need through a proposal that will be evaluated by the Division/Office.

The Office of Financial Services may solicit the services of the above professionals through the competitive procurement process, if competitive procurement is deemed to be in the best interest of the Department. The Division/Office shall work with the Office of Financial Services to determine the

appropriate process to be used.

Chapter 6. Contracts with Governmental or Quasi-Governmental Agencies

Government entities (e.g., Board of Regents of the University System of Georgia, Georgia Department of Labor, Georgia Technology Authority, etc.) are exempt from the competitive procurement process.

Divisions/Offices wishing to utilize the services of the exempted governmental or quasi-governmental agencies may be required to develop a Statement of Need with detailed description of the Scope of Work to be performed by the exempted agency. The agency will respond to the Statement of Need by submitting a proposal that will be evaluated by the Division/Office.

Chapter 7. Resources

The Office of Procurement Services staff is available to provide technical assistance and guidance through the procurement process.

Agencies which are administratively attached to DHS, and authorized by law, rules or regulations to procure services outside the authority of the State Purchasing Office, may request technical assistance from the Office of Procurement Services (OPS) to aid them in facilitating the procurement process.

Chapter 8. Technical References

The Department of Administrative Services (DOAS) Georgia Procurement Manual (GPM) is located at www.doas.ga.gov/state-purchasing, then click on the following quick links: 1) Divisions; 2) State Purchasing 3) Information for State Entities Procurement Professionals; 4) GPM Archives, Policies and Official Announcements.