State of Michigan
Administrative Guide to State Government

0620.03 Submission of Contracts and Contract Amendments by DTMB Central Procurement Services

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PURPOSE

To communicate the procedures for the Department of Technology, Management, and Budget, Central Procurement Services for submission of new contracts and contract amendments for goods and services to the Finance and Claims Committee (F&C) for approval by the State Administrative Board (Ad Board).

APPLICATION

Department of Technology, Management and Budget, Central Procurement

CONTACT AGENCY

Department of Technology, Management and Budget (DTMB)
State Administrative Board (Ad Board)

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SUMMARY

The Ad Board Secretary reviews the DTMB-3529 New Contract Award Bid Tabulation form and DTMB-3530 Bid Tabulation for Contract Change Recommendation (CCR) form presented for Ad Board approval.

APPLICABLE FORMS

DTMB-3529 New Contract Award Bid Tabulation (Bid Tab)

DTMB-3530 Bid Tabulation for Contract Change Recommendation (CCR)

REFERENCES

Ad Board Finance and Claims Resolution Reducing the Monetary Threshold for Certain Contract Approvals, Readopting the Monetary Threshold for Grant Approvals

Administrative Guide Policy 0510 Purchasing, Michigan Procurement Policy Manual (MPPM), Chapter 5 Pre-Solicitation

PROCEDURES

Requesting Agency

Determines whether Ad Board approval is required pursuant to the most recent Ad Board Finance and Claims Resolution Reducing the Monetary Threshold for

Certain Contract Approvals, Readopting the Monetary Threshold for Grant Approvals prior to execution of the contract, purchase order or amendment to a contract regardless of their source of funding or duration, and according to the following requirements (see References above):

General Requirements

- With the exception for contracts procured through the Michigan Supplier Community Program (MiSC) or contracts for emergency purchases, all contracts and contract amendments for the purchase of goods and services of $250,000 or more, regardless of the source of funding or duration, require prior approval of the Ad Board. This includes contracts funded through General Funding, Federal Funding, Restricted Funding or other sources (such as what are often referred to as “zero dollar” contracts funded directly through any type of revenue received, such as fees and registrations, etc. that are not paid by the State of Michigan).
- Contracts and contract amendments for the purchase of goods and services procured through the Michigan Supplier Community Program, regardless of the source of funding or duration, require prior approval of the Ad Board if $500,000 or more.
- A request for retroactive approval of a non-emergency purchase must be accompanied by a letter from the Agency’s director or designee explaining the reason the purchase was made without prior Ad Board approval and how the Agency’s procedures have been modified to prevent future purchases without prior Ad Board approval.
- Prior approval by the Ad Board is not required for contracts for emergency purchases entered into cases involving threats to public health or safety, emergency repairs or construction, or in response to a declared state of emergency or state of disaster pursuant to MCL 30.401 *et seq.*; or in cases of a declared state of energy emergency pursuant to MCL 10.81 *et seq*.
- All emergency contracts must be reported to the Ad Board within 45 calendar days after execution. (See MPPM Chapter 5, Section 5.7.3. under References above.)
- An emergency purchase less than or equal to $5,000 (see MPPM Chapter 5, Section 5.6 under References above) or from an existing state contract does not need to be reported to the Ad Board.

New Contract Requirements

For procurement of goods and services between state departments and vendors, between state departments and educational institutions, or between state departments and other governmental units are as follows:

- See above General Requirements for new contract Ad Board reporting threshold requirements.

- If the new contract requires Ad Board approval, a Bid Tab must be submitted to the Ad Board Secretary.
- Contract protest periods for submitted items must expire no later than 5:00 p.m. the day before the F&C meeting, and protests for any submitted items must be resolved no later than 5:00 p.m. the day before the F&C meeting or the item will be removed from the F&C Agenda. The Ad Board Secretary must be notified of any unresolved protest before the F&C meeting.

Contract Amendment Requirements

For procurement of goods and services between state departments and vendors, between state departments and educational institutions, or between state departments and other governmental units are as follows:

- Once a contract or purchase order reaches $250,000, the first amendment that takes the total amendment amount to $250,000 or more requires Ad Board approval prior to execution, except for MiSC contracts and contract amendments which the threshold amount is $500,000 or more that require Ad Board approval or emergency purchases which do not require Ad Board approval.
- Once $250,000 in amendments has been approved for a contract or purchase order, amendments may accumulate up to $250,000 again before amendments require Ad Board approval prior to execution, except for MiSC contracts and contract amendments which the threshold amount is $500,000 or more that require Ad Board approval or emergency purchases which do not require Ad Board approval.
- If the contract amendment requires Ad Board approval, a CCR must be submitted to the Ad Board Secretary.
- Once the Ad Board approves the term of a contract, Ad Board approval of different start and end dates is not required if the contract term remains the same.
- An option is an additional length of time allowed under the contract and does not require Ad Board approval unless money to fund the option is also being added and the new amount requires Ad Board approval.
- If the proposed action is exercising multiple option years, explain the benefit to the state on the CCR.
- If the proposed action is allowed in the current contract language and requires Ad Board approval, the CCR must state that the current contract language allows the amendment.
- If the proposed action is a change in scope of the contract (including extensions beyond the final term following the transition period, if any, allowed under the contract terms) the CCR must include the language explaining the appropriate exception to competitive bidding from MCL

18.1261(3). Ad Board approval is not required for contracts (purchase order or multi-year) if the monetary threshold is not met.

- If the proposed action is to add reasonably related goods or services and is approved by the Chief Procurement Officer or designee, pursuant to the MPPM Chapter 5, Section 5.7.6, Ad Board approval is not required if the monetary threshold is not met.

DTMB Central Procurement Services

- The category analyst creates the Bid Tabs in MiProData for review by the required managers. Once approved by the managers, the State Administrative Board Secretary reviews and includes them on the Finance & Claims Agenda.

Ad Board Secretary

- Reviews the submissions in MiProData.
- Tracks items with unexpired protest periods and items with unresolved protests.
- Organizes the Bid Tabs and uploads them to the Ad Board intranet site.
- Emails the draft agendas with supporting documents to the reviewers with links to the Ad Board intranet site.
- Handles necessary correspondence or other communication relative to items submitted.
- Finalizes the F&C Agenda and uploads it to the Ad Board website and intranet site.
- Creates the Ad Board Agenda, prepares supporting documents, and uploads them to the Ad Board website.
- Attends and takes minutes at the F&C and Ad Board meetings.
- Creates the F&C Report and makes any corrections to the F&C Agenda if needed and uploads them to the Ad Board website and intranet site.
- Creates the Ad Board minutes and uploads them to the Ad Board website.
- Adds the approval stamp to the Bid Tabs and CCRs.
- Emails the links to the committee recommendations to the submitters and reviewers.

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