

0620.04 Submission of New Contracts and Contract Amendments by Agencies

Issued: January 13, 2014
Revised: February 21, 2023

PURPOSE

To communicate the procedures for submissions to the Finance and Claims Committee (F&C) of the State Administrative Board (Ad Board) 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, and other Ad Board Resolutions in effect at the time of the submission to the F&C Committee for New Contracts and Contract Amendments for the purchase of goods and services by Agencies acting under delegated authority from the Department of Technology, Management and Budget, Procurement per MCL 18.1261 or by Agencies acting under statutory authority to contract directly.

APPLICATION

Executive Branch Departments and Sub-units (Agency).

CONTACT AGENCY

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

Telephone: 517-388-5850 Ad Board Secretary

Email: dtmb-stateadboard@michigan.gov

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 by Agencies for Ad Board approval.

APPLICABLE FORMS

[DTMB-3529 New Contract Award Bid Tabulation \(Bid Tab\)](https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Forms/DTMB%20Forms/New%20Contract%20Award%20Bid%20Tabulation.docx?)

(<https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Forms/DTMB%20Forms/New%20Contract%20Award%20Bid%20Tabulation.docx?>)

[DTMB-3530 Bid Tabulation for Contract Change Recommendation \(CCR\)](https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Forms/DTMB%20Forms/Bid%20Tabulation%20for%20Contract%20Change%20Recommendation.docx?)

(<https://stateofmichigan.sharepoint.com/sites/SOM-SPC-Forms/DTMB%20Forms/Bid%20Tabulation%20for%20Contract%20Change%20Recommendation.docx?>)

REFERENCES

[Ad Board Finance and Claims Resolution Reducing the Monetary Threshold for Certain Contract Approvals, Readopting the Monetary Threshold for Grant](#)

[Approvals](https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/SAB/FandC_Threshold_resolutions__present_to_past.pdf) (https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/SAB/FandC_Threshold_resolutions__present_to_past.pdf)

[Administrative Guide Policy 0510 Purchasing, Michigan Procurement Policy Manual \(MPPM\), Chapter 5 Pre-Solicitation](https://www.michigan.gov/-/media/Project/Websites/dtmb/Procurement/documents/MPPM/Chapter_5__PreSolicitation.pdf) (https://www.michigan.gov/-/media/Project/Websites/dtmb/Procurement/documents/MPPM/Chapter_5__PreSolicitation.pdf)

[Administrative Guide Procedure 0510.41 Purchase of Legal Services](https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/Admin-Guide/500/051041-Purchase-of-Legal-Services.pdf) (https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/Admin-Guide/500/051041-Purchase-of-Legal-Services.pdf)

PROCEDURES

Requesting Agency

- All hearing officer contracts, or purchase orders require Ad Board approval and submission of a Bid Tab with Michigan Administrative Hearing System approval.
- All hearing officer contract amendments for time, scope or additional dollars require Ad Board approval and submission of a CCR with a signed copy of the contract amendment.
- 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 for resolutions present to past):

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, 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.
- For Michigan State Housing Development Authority (MSHDA) contract submission requirements, see Memorandum, “Administrative Board Approval of Contracts Funded Out of MSHDA Money,” dated April 14,

2003, to determine whether reporting to the Board is required depending on the funding source.

- For Michigan Department of Transportation (MDOT) contract submission requirements, see Resolution, "[State Administrative Board Resolution 2017-2 Procedures Applicable to MDOT Contracts and Grants and Recission of Resolution 2011-2](https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/SAB/2017/20112_MDOT_Threshold_Resolution.pdf) (https://www.michigan.gov/dtmb/-/media/Project/Websites/dtmb/Law-and-Policies/SAB/2017/20112_MDOT_Threshold_Resolution.pdf)," dated April 25, 2017. A request for retroactive approval of a non-emergency purchase made without Ad Board approval 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 purchases without prior Ad Board approval in the future.
- Prior approval by the Ad Board is not required for contracts for emergency purchases entered into in 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 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.
- Legal Services Contracts or Amendments submitted by any agency other than the Department of the Attorney General (AG) require submission of an approval letter by the AG with the Bid Tab or CCR. Follow Administrative Guide Procedure 0510.41 Purchase of Legal Services to obtain AG approval.

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 completed 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 for 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 to \$250,000 again before the next amendment bringing the accumulated amendments to more than \$250,000 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 current contract language and does not require Ad Board approval unless money to fund the option is also being added and that funding amount requires Ad Board approval.
- If the proposed action is exercising multiple option years, the Agency must 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, indicate in the CCR that the current contract language allows the requested amendment.
- If the proposed action is a change in scope of the contract (including extensions beyond final term and any transition period allowed under the contract terms), Ad Board approval is required and the CCR must include the language explaining the appropriate exception to competitive bidding.
- Emails the signed submissions to the Ad Board Secretary for each F&C Committee meeting as follows:
 - A PDF file of the signed Bid Tab for each new contract and the signed CCR for each contract amendment with any attachments immediately following each Bid Tab or CCR.

Ad Board Secretary

- Reviews the Bid Tab(s) and CCR's for each submission.
- Tracks items with unexpired protest periods and items with unresolved protests.
- Organizes the Bid Tabs and CCR's 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 presented.
- Finalizes the F&C Agenda and uploads it to the Ad Board website and intranet site.
- Attends and takes minutes at the F&C meetings.
- Creates the F&C Report and makes any corrections to the F&C Agenda if needed.
- Uploads F&C Agendas and Reports on the Ad Board website.
- Emails the links to the Committee Reports to the Ad Board submitters and reviewers.
- Attends and takes minutes at the Ad Board meetings.
- Creates the Ad Board minutes and uploads them to the Ad Board website.
- Adds the approval stamp to the Bid Tabs and CCR's and uploads them to the Ad Board intranet site.
- Emails the link for the stamped approved Bid Tabs and CCR's to all Agencies.
