

Appendix A

NASPO Responses Leveraged Contracts

	Massachusetts	Missouri	Pennsylvania
Describe your rules for the issuance of master agreements/contracts, multiple awards and other "leveraged" contracts. Are your master agreements/contracts and multiple awards competitively bid?	The link to our handbook is: http://mass.gov/agency/documents/osd/policy/phand.pdf Information starts on page 50.	Rules are lowest and best. Yes (competitively bid).	Refer to the Commonwealth's Field Procurement Handbook. This Handbook can be found on our website at: http://www.dgs.state.pa.us/dgs/cwp/view.asp?a=353&Q=113711&dgsNav= 5053 A: See Attachment No. 1, Section A, pages 1 thru 3. See also Attachments 6 and 7 for additional information.
What is the duration of your masters and multiple award contracts? How often are they opened up for re-solicitation?	page 51 and 53	Anywhere from one to three years depending on various factors. Sometimes there are minimum order limitations but that is all.	Most are 1 year with four possible 1-year renewals. Some are two-years with renewals. (Not to exceed 5 years total). Each year the contracts are reviewed along with the current market and it is decided whether to bid or renew. Most of the time we utilize every renewal option, unless there is a major change in the market. (Attachment No. 2)
What are the limitations for the use of the masters and multiple award contracts?	Pg. 53		A: See Attachment No. 1, Section C, page 10.

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Do your procurement statutes, policies, and procedures allow negotiation? If so, how does this work?	page 43, page 191 (Best Value Selection and Negotiation)	Yes. Our negotiation is a formal process that allows us to change specs or requirements and technically reissue the RFP.	A: Yes, in the Competitive Sealed Proposal (RFP) process. See Attachment No. 1, Section B, pages 3 thru 10. Negotiations are specifically talked about in Section B.11, pages 9 thru 10.
What is your process for handling protests?	Human and Social Services only; page 193 (Debriefing and Appeals)	The protest goes to my assistant director (one not involved at all in the procurement process). We do an internal review and make a determination. An appeal may be made to the Director or the Commissioner of Administration. Final appeal is court related. Protests are handled in accordance with our rules and regulations.	A: See attached policy/procedure guidelines. (Attachment No. 3)
Are there types of procurements that do not allow protests?	Commodities and other services allow debriefings only at the discretion of the procuring department); page 190, Debriefing. Protests are not allowed	Not really	A: None that I am aware of.
Describe your contract dispute process? (i.e. failure to perform)	page 99	Agencies are the first line of contact. They must notify our office of problems reaching breach status. At that point, our office gets involved and does all further contract administrative duties.	See attached policy/procedure guidelines. (Attachment No. 4)

	Massachusetts	Missouri	Pennsylvania
<p>What is your process for approving non-competitive bid procurements/single and sole source (NCBs)? What are the acceptable justifications for such procurements? Do you have a separate approval process for NCBs? If so, please describe it.</p>	<p>Not allowed; page 27</p>	<p>Must be advertised for 5 days and meet 3 criteria as identified in statutes (amount must be above \$25,000 for this to occur).</p> <p>Supplies are proprietary and only available from the manufacturer or a single distributor. Based on past procurement experience, it is determined that only one distributor services the region in which the supplies are needed. Supplies are available at a discount from a single distributor for a limited period of time.</p> <p>No separate approval process.</p>	<p>Attachment No. 5 Sole Source</p> <p>See Attachment Nos. 5A, 5B & 5C. These forms are the Sole Source Fact Sheets and Checklists that the agencies must fill out for approval to do sole source procurements (Supplies, Services & Construction</p> <p>They must complete the regular approval process plus the approval of the Board of Commissioners of Public Grounds and Buildings. (Attachment No. 5 Sole Source)</p>

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