Part II Chapter 04
Competitive Sealed Bidding
(Exceeding Delegated Thresholds)

A. Requirements. The following procedure shall be used by Agencies when materials are to be procured through competitive sealed bidding and the following conditions are met:

1. The item is not available as a warehouse item or a federal or state surplus item through the DGS Bureau of Supplies and Surplus Operations.

2. The effective DGS statewide requirements contract does not have the material listed or the purchase price is less than the minimum order amount and/or quantity.
   a. If the Agency has uncertainty about the availability of a material from a statewide requirements contract, they should contact the DGS Commodity Specialist responsible for that commodity to verify if the material is available from (or could be added to) a statewide requirements contract.
   b. If the requested material is available from a statewide requirements contract, the Agency may request approval to purchase off contract only within the requirements set forth in with Part II Chapter 09, Off Contract Procurements.

B. General.

1. An agency who wishes to request delegation of procurements of materials which exceed the delegated thresholds established in Part I Chapter 07, Thresholds and Delegations, must complete the Notice of Forthcoming Procurement Form and request delegation from the Chief Procurement Officer.

C. Procedures.

1. Agency.
   a. Create shopping cart for required items with detailed description of the material needed. Attach any additional information that will be required for the procurement. Combine related items on a single shopping cart.
   b. If the requirement is for a “No Substitute” material to be competitively bid from multiple suppliers annotate on the shopping cart this is a “no substitute” and provide written justification for the “no substitute” requirement. BOP will determine if there is sufficient justification for a “no substitute” requirement.
   c. If all of the following conditions exist for a “furnish and install”, Pennsylvania prevailing wage rates must be obtained from the Department of Labor and Industry, Bureau of Labor Law Compliance:
(1) Exceeds $25,000.

(2) Involves construction, demolition, reconstruction, alteration, and/or repair (other than maintenance).

(3) The item becomes part of the building to which it will be installed.

d. If Pennsylvania prevailing wages are required, the Agency shall obtain a wage determination from the Bureau of Labor Law Compliance or by calling (800)932-0665. The wage determination shall be part of the IFB and all contracts for work.

e. Secures workflow approvals within SRM and as required by:

   (1) Instructions issued through the Directives Management System if applicable.

   (2) Agency purchasing policy and procedures.

2. DGS, Bureau of Procurement.

   a. Prepare the IFB.

   b. Review the list of small and small diverse businesses on the DGS Bureau of Diversity, Inclusion and Small Business Opportunities website or within SRM to identify those small and small diverse businesses which may be able to provide the material and/or service.

   c. Complete and submit the online Request for Advertisement form to advertise IFB on the DGS BOP website.

   d. Notify of the website posting:

      (1) Identified small diverse businesses;

      (2) Identified small businesses;

      (3) Suppliers who asked to be notified; and

      (4) Any other suppliers selected by the Agency.

   e. Opens bids on the scheduled bid opening date. Records the name of each bidder, the amount of each bid, and other relevant information.

   f. The prepared written record of the bidders and bid information (bid tabulation) must be posted to eMarketplace as soon as reasonably possible.

   g. Reviews and evaluates bids for responsiveness. Determines whether the lowest responsive bidder is a "responsible bidder, by, at a
minimum, reviewing the lowest responsive bidder’s status on the Contractor Responsibility Program file.

h. Prepares the Contract or Purchase Order for the lowest responsible and responsive bidder.

i. Prepares a Notice of Award using the DGS BOP template and posts it to eMarketplace once the Contract or Purchase Order has been released from held status to begin the approval workflow.

j. Obtains applicable fiscal, legal and other necessary contract or purchase order approvals.

k. Issues Contract and/or Purchase Order to selected bidder.

l. Maintain a record of the procurement if it was not done in SRM.

References:

1. DGS Bureau of Supplies and Surplus Operations
2. Part II Chapter 09, Off Contract Procurements
3. Part I Chapter 07, Thresholds and Delegations
4. Notice of Forthcoming Procurement Form
5. Bureau of Labor Law Compliance (Prevailing Wage Act)
6. Bureau of Diversity, Inclusion and Small Business Opportunities
7. Request for Advertisement (PA eMarketplace login required)
8. Notice of Award