

**Part IV Chapter 06
Procurements of Construction Material and Equipment
from DGS' Bureau of Procurement Multiple Award Contracts**

A. Definitions.

1. "Construction" includes maintenance, alteration, repairs, renovation, improvements, building and demolition.
2. "Project" includes all work necessary to complete the entire scope of work, including all general construction, hazardous material removal, fire suppression, elevator, HVAC, plumbing and electrical work.

B. Scope. This procedure must be used by Commonwealth agencies to procure construction material and equipment which is available through effective DGS statewide requirements contracts which are multiple award contracts.

1. Any purchase order issued under this process must explicitly exclude labor costs. Only Commonwealth agency employees or inmates or patients of a Commonwealth agency institution can perform labor to install any of the material or equipment acquired through DGS' Bureau of Procurement statewide contracts.
2. Each agency will have to verify that only Commonwealth agency employees or inmates or patients of a Commonwealth agency institution can perform labor to install the material and equipment acquired through the Bureau of Procurement.
3. The No-bid Procurement Process (P-Card) should not be used to pay for any related work. (For example, an agency may not use the No-Bid Procurement process to obtain any associated services or labor to design or install the construction material or equipment purchased from the DGS Bureau of Procurement multiple award contracts).

C. General. When DGS awards statewide requirements contracts on a multiple award basis, the contract will be awarded by one of the following methods:

1. Award may be made to the lowest responsible and responsive bidder or offeror for each designated manufacturer.
2. Award may be made to the two or three lowest responsible and responsive bidders or offerors for each designated manufacturer.
3. Award may be made to all responsible and responsive bidders or offerors and the agency shall then have the discretion to select the contractor to furnish the construction material or equipment based upon best value or return on investment.

D. Agency Procedures.

- 1. Agency.** Follows the procedures for "Procurement From Effective DGS Statewide Requirements Contracts" except for the following additional requirements.
 - a.** If DGS makes the award to the lowest responsible and responsive bidders or offerors for each designated manufacturer, the agency may select the contractor whose service best meets the needs of the agency.
 - b.** If DGS awards the contract to the two or three lowest responsible and responsive bidders or offerors for each designated manufacturer, the agency must issue its order to the lowest responsible and responsive bidder for the selected designated manufacturer unless it includes written justification in the file which explains the selection of other than the lowest responsible and responsive bidder.
 - c.** If DGS awards contracts to all responsible and responsive bidders or offerors, the agency has the discretion to select the contractor to furnish the service based upon best value or return on an investment. The agency must provide a written explanation in the file for its best value or return on investment determination.