



**STATE OF MONTANA  
DEPARTMENT OF CORRECTIONS  
POLICY DIRECTIVE**

Policy No. DOC 1.2.8	Subject: <b>PROCUREMENT</b>
Chapter 1: ADMINISTRATION AND MANAGEMENT	Page 1 of 3
Section 2: Fiscal Management	Effective Date: May 1, 1996
Signature: /s/ Reginald D. Michael	Revised: 03/27/18

## **I. POLICY**

The Department of Corrections will administer the procurement of goods and services in accordance with the Montana Procurement Act and Montana Operations Manual ensuring the fair and equitable treatment of all parties involved in the procurement process.

## **II. APPLICABILITY**

All divisions, facilities, and programs.

## **III. DEFINITIONS**

Procurement – An acquisition with or without cost, buying, purchasing, renting, leasing, or otherwise acquiring any supplies or services. It includes all functions that pertain to obtaining any supply or service, including description of requirements, selection and solicitation of sources, preparation and award of contract, and all phases of contract administration. It does not include the acquiring of supplies or services by gift.

Total Contract Value – The entire potential monetary worth of the project from the beginning to completion, including the initial contract period and any options to renew.

## **IV. DEPARTMENT DIRECTIVES**

### **A. General Purchasing Requirements**

1. Division administrators will ensure operational procedures adhere to the Montana Department of Administration's State Financial Services Division (SFSD) [RFP Process](#).
2. The Department's documentation of purchases will comply with applicable state statutes, the Purchasing Authority Agreement between the Department of Administration and the Department of Corrections, and the [Purchasing Manual](#).
3. The Department has several methods for purchasing supplies and services based on the total contract value of the item or service desired; a description of each method is located in the [Purchasing Manual](#) and the [Purchasing Cardholder Standard Operations Procedure Guide](#).

4. Procurement documents will clearly indicate the evaluation methodology that will be used to determine contract award. Evaluations may include:
  - a. physical testing of products;
  - b. review of manufacturer's literature;
  - c. mathematical calculations using vendor pricing and identified usage data; or
  - d. any other form of evaluation that serves the Department's best interests and is specifically identified in the procurement document.
5. Special purchase authorization may be granted through an agreement between the Department of Administration and the Department of Corrections.
6. In the event a contractor may use state-owned property or resources, the Department will state in the procurement document that such property or resource is available for the contractor's use.

**B. Request for Proposal (RFP) Evaluation Committees**

1. An evaluation committee will provide a fair and unbiased evaluation of all RFP offers in accordance with the criteria established in the RFP document and will recommend contract award to the most responsible and responsive offeror.
2. The evaluation committee will be formed prior to the date set for receipt of proposals in order to ensure that there is no perception that the evaluation committee was formed to favor a particular offeror.
3. The evaluation committee may include individuals with knowledge or expertise of the goods or services requested in the RFP. If necessary, the evaluation committee may consult with other staff or experts regarding technical or specialized aspects of the RFP.
4. Only evaluation committee members may deliberate and participate in the evaluation process to recommend contract award.
5. Evaluation committee members are required to sign a "Non-Conflict of Interest" statement prior to serving on an evaluation committee; individuals that have a known or perceived possible conflict of interest with any potential offeror should not serve on the evaluation committee.
6. Responsibilities of evaluation committee members include the following:
  - a. maintaining knowledge of RFP requirements prior to the evaluation process;
  - b. adherence to evaluation criteria set forth in the RFP;
  - c. maintaining a professional manner at all times;
  - d. remaining objective, impartial, unbiased, and fair in all aspects of the evaluation process;
  - e. attending all evaluation committee meetings and vendor presentations;
  - f. referring all vendor/public inquiries related to the submission and/or evaluation of proposals to the purchasing agent or procurement officer responsible for the RFP;
  - g. immediately contacting the assigned purchasing agent or procurement officer if any real or perceived conflict of interest develops during the evaluation process;
  - h. refraining from direct contact with an offeror during the RFP evaluation process

- unless absolutely required by job duties or functions; and
- i. recommending contract award.

### **C. Controlled Purchases**

1. The SFSD retains control of specific purchases known as controlled items. Controlled items may be obtained through SFSD in the following ways:
  - a. requisition time schedule;
  - b. exclusive or non-exclusive term contracts;
  - c. Montana Acquisition and Contracting System (eMACS);
  - d. printing;
  - e. vehicles; or
  - f. cooperative purchasing.
2. Purchases of cellular telephone service, computer hardware and software, telecommunications systems, and photocopiers require specific approval and/or assistance by designated individuals or programs.
3. Supplies and services purchased outside standard procedures due to unique requirements or unusual circumstances are provided an exception and may require additional justification and documentation as provided in 2.5.301, ARM and 18-4-132, MCA.

### **V. CLOSING**

Questions concerning this policy should be directed to the Budget and Contracts Management Bureau chief, DOC purchasing agent, or your facility procurement officer.

### **VI. REFERENCES**

- A. *Title 18, Chapter 4, MCA; 53-1-203, MCA*
- B. *2.5.101 through 2.5.801 ARM*
- C. *Purchasing Authority Delegation Agreement between the Departments of Administration and Corrections*
- D. [\*Purchasing Manual\*](#)
- E. [\*Purchasing Cardholder Procedure Operations Guide\*](#)
- F. *Montana Operations Manual, Chapter 1-0700*

### **VII. ATTACHMENTS**

None