

MONTANA PROCUREMENT CODE

Fiscal Year End: June 30

1. **Prequalifications:** Suppliers may be pre-qualified.
 - a. **MCA 18-4-309** → Prospective suppliers may be prequalified in accordance with department rules for particular types of supplies and services
2. **Auto-drop:** None.
3. **Life Cycle Costing (LCC):** Evaluations based on LCC are allowed if stated in the IFB.
 - a. **MCA 18-4-303 (6)** → Bids must be unconditionally accepted without alteration or correction, except as authorized in this chapter. Bids must be evaluated based on the requirements set forth in the invitation for bids, which may include criteria to determine acceptability, such as inspection, testing, quality, workmanship, delivery, and suitability for a particular purpose. Those criteria that will affect the bid price and be considered in evaluation for award must be objectively measurable, such as discounts, transportation costs, and total or life-cycle costs. The invitation for bids must set forth the evaluation criteria to be used. Only criteria set forth in the invitation for bids may be used in bid evaluation
4. **Piggybacking:** Allowed.
 - a. **MCA 18-4-402** → The department may participate in, sponsor, conduct, or administer a cooperative purchasing agreement for the procurement of any supplies or services with one or more public procurement units in accordance with an agreement entered into between the participants independent of the requirements of part 3. Cooperative purchasing may include purchasing through federal supply schedules of the United States general services administration, joint or multiparty contracts between public procurement units and open-ended state public procurement unit contracts that are made available to local public procurement units.
5. **Recycle Preferences:** Specifications for recycled materials purchased if technologically practical and reasonably cost-effective
 - a. **75-10-806. 1** → The department of administration shall write purchasing specifications that incorporate requirements for the purchase of materials and supplies made from recycled materials if the use is technologically practical and reasonably cost-effective. These requirements must be incorporated into the purchase of:
 - i. paper and paper products;
 - ii. plastic and plastic products;
 - iii. glass and glass products;
 - iv. automobile and truck tires;
 - v. motor oil and lubricants; and
 - vi. other materials and supplies as determined by the department of administration.

[75-10-806. State government procurement of recycled supplies and materials.](#)
6. **Minority/Small/Disadvantaged Business Enterprise preferences:** No preference.

a. **18-5-302. Repealed**

7. Cooperative Purchasing

National IPA

The City of Tucson, AZ has awarded a national cooperative purchasing agreement available to agencies through National Intergovernmental Purchasing Alliance (National IPA). Visit the National IPA website for state specific information <http://www.nationalipa.org/statutes.html>

National Joint Powers Alliance (NJPA)

NJPA currently supports over 100 national contracts for products and services that are available to local governmental agencies and other not for profit entities. Additional information can be found by visiting NJPA's State Procurement Resources web site.

<http://www.njpacoop.org/national-cooperative-contract-solutions/legal-authority/>

*****Montana Code Annotated (MCA) →**

http://data.opi.mt.gov/bills/mca_toc/index.htm