

GEORGIA PROCUREMENT CODE

Fiscal Year End: June 30

1. **Prequalifications:** None.
2. **Auto-drop:** None.
3. **Life Cycle Costing (LCC):** Allowed if written in solicitation document
 - a. **GA Code 50.5.67.b** → Except as otherwise provided for in this part, all contracts for the purchases of supplies, materials, equipment, or services other than professional and personal employment services made under this part shall, wherever possible, be based upon competitive bids and shall be awarded to the lowest responsible bidder, taking into consideration the quality of the articles to be supplied and conformity with the specifications which have been established and prescribed, the purposes for which the articles are required, the discount allowed for prompt payment, the transportation charges, and the date or dates of delivery specified in the bid and any other cost affecting the total cost of ownership during the life cycle of the supplies, materials, equipment, or services as specified in the solicitation document. Competitive bids on such contracts shall be received in accordance with rules and regulations to be adopted by the commissioner of administrative services, which rules and regulations shall prescribe, among other things, the manner, time, and places for proper advertisement for the bids, indicating the time and place when the bids will be received; the article for which the bid shall be submitted and the specification prescribed for the article; the amount or number of the articles desired and for which the bids are to be made; and the amount, if any, of bonds or certified checks to accompany the bids. Any and all bids so received may be rejected.
4. **Piggybacking:** Allowed with permission of the SPDAC
 - a. **GA Procurement Manual Chapter 3, Section 6.5** → Piggyback purchasing allows the issuing State Entity and the awarded vendor to agree to open up the contract for the use of other State Entities. However, the vendor must offer other State Entities the same prices, terms and conditions as that of the issuing State Entity.
 - i. A State Entity will be permitted to use another State Entity's contract only with the approval of the SPDAC by utilizing form SPD-NI009 "Piggyback Request Form", which is available online at the following link:
<http://doas.ga.gov/StateLocal/SPD/Seven/Pages/Home.aspx> The State Entity must submit documentation, which includes a copy of the contract, the issuing State Entity's approval to "piggyback" on the contract, the vendor's approval to "piggyback" on the contract, and justification as to why the other State Entity's contract should be used. The APO/CUPO must indicate whether there will be repetitive purchases or whether this is a one-time buy.
 - ii. 2. All State Entities that are given permission by the SPDAC to use another State Entity's contract must submit a monthly report listing other State Entity contracts that are being used along with a list of

purchase orders and dollar amounts that have been issued against the other State Entity contract.

5. Recycle Preferences: Mentions paper products only

- a. **GA Code 50.5.60.2.b** → At least 95 percent of moneys spent on printing and writing paper purchased by state agencies, commissions, and authorities shall be spent upon recycled content paper which meets or exceeds Environmental Protection Agency guidelines for minimum recycled content; provided, however, the provisions of this subsection shall not apply if the price of recycled content paper required by this Code section exceeds 8 percent of the price paid by the Department of Administrative Services for 100 percent virgin paper products or if the recycled content paper required by this Code section does not meet the standards, quality level, and specifications established by the Department of Administrative Services

6. Minority/Small/Disadvantaged Business Enterprise preferences: MBE encouraged and minimum number of minority firms must be solicited

- a. **GA Procurement Manual Chapter 11, Section 1** → It is the policy of the State of Georgia that small businesses and minority businesses have a fair and equal opportunity to participate in the State purchasing process, pursuant to the Governor's Executive Order issued on July 1, 1999. The Executive Order states that "A[all] State Entities, authorities, commissions and institutions shall make an immediate concerted effort to increase the level of minority business participation in the state contracting process by increasing bid opportunities extended to the minority community and by providing more direct assistance to minority vendors on how the state contracting process works.
- i. All bid documents shall include statements encouraging minority business participation and statements encouraging majority businesses to subcontract with minority businesses.
 - ii. All bid documents shall include notification of the income tax credit that is available to any business that subcontracts with a minority-owned business.
 - iii. All State Entities, authorities, commissions and institutions shall make special efforts to publicize and advertise bid opportunities to the minority business community including the use of minority-oriented media, and that notification be given to nonprofit organizations, publications and special interest groups whose primary membership includes or targets minority contractors.
 - iv. SPD policy requires that the APO/CUPO solicit a minimum number of minority firms by dollar amount. (See Article III, Section 7, Section A "Minimum Bid Policy".)

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/>

*****Georgia Purchasing Legislation**

<http://www.lexis-nexis.com/hottopics/gacode/default.asp>

*****GA Procurement Manual:**

http://doas.ga.gov/StateLocal/SPD/Docs_SPD_Official_Announcements/GeorgiaProcurementManual.pdf