

# RHODE ISLAND PROCUREMENT CODE

**Fiscal Year End:** June 30

1. **Prequalifications:** May pre-qualify, but not necessary.
  - a. **RIS § 37-2-25** → The chief purchasing officer may provide for prequalification of suppliers as responsible prospective contractors for particular types of supplies, services, and construction. Solicitation mailing lists of potential contractors of the supplies, services, and construction shall include but need not be limited to prequalified contractors. Prequalification shall not foreclose a written determination:
    - i. Between the time of the bid opening or receipt of offers and the making of an award, that a prequalified supplier is not responsible; or
    - ii. That a supplier who is not prequalified at the time of bid opening or receipt of offers is responsible
2. **Auto-drop:** None.
3. **Life Cycle Costing (LCC):** Although not explicitly stated, evaluations based on LCC are allowed only if LCC is stated in the IFB as objective measurable criteria.
  - a. **RIS §37-2-18.b** → The invitation for bids shall state whether the award shall be made on the basis of the lowest bid price or the lowest evaluated or responsive bid price. If the latter basis is used, the objective measurable criteria to be utilized shall be set forth in the invitation for bids, if available. All documents submitted in response to the bid proposal are public pursuant to chapter 38-2 upon opening of the bids. The invitation for bids shall state that each bidder must submit a copy of their bid proposal to be available for public inspection upon the opening of the bids. The burden to identify and withhold from the public copy that is released at the bid opening any trade secrets, commercial or financial information, or other information the bidder deems not subject to public disclosure pursuant to chapter 38-2, the Access to Public Records Act, shall rest with the bidder submitting the bid proposal.
4. **Piggybacking:** Allowed.
  - a. **RIS §37-2-54.j** → The chief purchasing officer shall attempt in every practicable way to insure that the state is supplying its real needs at the lowest possible cost. Further, to assure that the lowest possible cost is achieved, the chief purchasing officer may enter into cooperative purchasing agreements with other governmental entities
  - b. **RIS §37-2-56** → Any municipality or regional school district of the state may participate in state master price agreement contracts for the purchase of materials, supplies, services and equipment entered into by the purchasing agent, provided, however, that the contractor is willing, when requested by the municipality or school district, to extend the terms and conditions of the contract and that the municipality or school district will be responsible for payment directly to the vendor under each purchase contract. Unless a state contract is the result of an intergovernmental cooperative purchase contract to which a municipality or school district is a party, the purchasing agent shall not compel a successful bidder to extend the same terms and conditions to a municipality or school district. However, the purchasing agent may, in the interest of obtaining better pricing on behalf of the state and local entities, solicit offers based upon anticipated master price agreement utilization by municipalities and school districts.
5. **Recycle Preferences:** Promote use of recycled products.

- a. **RI Statutes § 37-2-76.a** → The state shall, through its purchasing policy and practice, affirmatively promote the use of recycled products. The department of administration in conjunction with the department of environmental management shall, through regulations, establish a time table requiring increased utilization by the state of recycled products. In January of each year, the department of administration shall report to the general assembly the state's progress in utilizing recycled products materials and supplies for the preceding twelve (12) months.

<http://www.rilin.state.ri.us/Statutes/TITLE37/37-2/37-2-76.HTM>

6. **Minority/Small/Disadvantaged Business Enterprise preferences:** None.

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/>

**\*\*\*Rhode Island Statutes (Chapter 37-2, State Purchases):**

<http://www.rilin.state.ri.us/Statutes/TITLE37/37-2/INDEX.HTM>