



State of Georgia
Department of Administrative Services
State Purchasing Division

Official Announcement # **21-03**

FROM: Lisa Eason, Deputy Commissioner, DOAS *LE*

DATE: January 4, 2021

TO: State of Georgia Procurement Professionals

RE: **Announcement of Revised Procurement Policies; House Bill 953**

The State Purchasing Division (SPD) is pleased to announce several policy updates to be incorporated into the [Georgia Procurement Manual \(GPM\)](#). Through my previous memo dated October 1, 2020, SPD shared information regarding [House Bill \(HB\) 953](#), which was passed by the Georgia General Assembly and became effective January 1, 2021. Through this **Official Announcement #21-03**, SPD is adopting revisions to the GPM related to implementation of HB 953 as well as other policy updates as outlined below and the attached Summary of GPM Changes Table.

In accordance with GPM Section I.1.5, this Official Announcement #21-03 shall accomplish these policy revisions effective **January 4, 2021**. Access the new GPM [here](#).

1. **Cooperative Purchasing:** Pursuant to House Bill 953, effective January 1, 2021, SPD has expanded authority to contract with cooperative purchasing entities to include **for-profit entities**. Accordingly, SPD will no longer maintain a pre-approved list of cooperative purchasing entities based on status as a non-profit or governmental entity.
 - a. **Public Notice of Intent to Utilize Cooperative Purchasing Agreement:** All state entities must continue to comply with the provisions of Section 1.3.4.4, including, but not limited to, publishing public notice of intent to use a cooperative purchasing agreement. All state entities must begin using the **revised version of form [SPD-NI007 Notice of Intent to Utilize Cooperative Purchasing Agreement](#)**.
 - b. **Revised Delegated Purchasing Authority (IMPORTANT):** Effective January 4, 2021, all state entities' delegated purchasing authority (DPA) to post cooperative purchasing notices is revised to be equal to the assigned DPA for posting Request for Proposals (RFPs). For most state entities, this means the applicable DPA for posting cooperating purchasing notices is \$1 million. If you have any questions regarding current DPA, please contact us at process.improvement@doas.ga.gov. No state entity is authorized to exceed the assigned DPA for posting cooperative purchasing notices without first requesting and receiving approval from SPD in accordance with GPM Section 2.5.2.
 - c. **Protest:** There are no changes to the current process for a supplier to submit a protest challenging a state entity's published notice of intent to utilize a cooperative purchasing agreement. However, SPD is adopting a general principle of review for such protests as noted in GPM Section 6.5. Step 4 – Supplier Participates in Protest Process.

2. **State Contracting Terms:** Pursuant to House Bill 953, effective January 1, 2021, certain contract terms are expressly prohibited by law and, if included in any contract subject to the State Purchasing Act, shall be void and of no effect. SPD is amending GPM Section 5.9.5 Contract Discussions to direct all suppliers to reference SPD's revised contracting resource, [SPD-SP060 Contracting with State Entities](#), to gain an understanding regarding common contract exceptions which may be rejected by state entities due to legal or policy concerns. The following RFX templates listed below have been updated to reference SPD-SP060 Contract with State Entities. Please begin using these revised templates for all new solicitations:
 - [SPD-SP015 State Entity RFP Template](#)
 - [SPD-SP016 State Entity eRFP Template](#)
 - [SPD-SP018 State Entity eRFQ Template](#)
 - [SPD-SP019 State Entity RFQC Template](#)
 - [SPD-SP020 State Entity eRFQC Template](#)

3. **Release of Procurement Records:** Pursuant to House Bill 953, effective January 1, 2021, release of procurement records is governed by the Georgia Open Records Act.
 - a. In GPM Section I.6., SPD is incorporating reference to the Georgia Open Records Act process as well as the requirement for the issuing officer to prepare a register of bids, proposals, evaluation documents and negotiations prior to first public announcement of the evaluation results. Information regarding the supplier's responsibility to label information in its bid/proposal that may be confidential, submission of a redacted version of the supplier's bid/proposal as well as reference to the new sample trade secret affidavit have been added to the following RFX templates. Please begin using these revised templates and attaching the new sample trade secret affidavit for all new solicitations:
 - [SPD-SP015 State Entity RFP Template](#)
 - [SPD-SP016 State Entity eRFP Template](#)
 - [SPD-SP018 State Entity eRFQ Template](#)
 - [SPD-SP019 State Entity RFQC Template](#)
 - [SPD-SP020 State Entity eRFQC Template](#)
 - [SPD-SP044 Trade Secret Affidavit](#)

 - b. In GPM Chapter 6, SPD is adopting guidance to satisfy the legal requirement for public inspection through publication of the administrative review document, bid tabulation template or similar document with the NOIA or NOA (whichever comes first). SPD has added an instructional note to the NOIA and NOA forms to assist the issuing officer with this new requirement. In addition, SPD has prepared a sample bid tabulation template that may be used for RFQs to meet this requirement.
 - [SPD-AP004 Notice of Intent to Award](#)
 - [SPD-AP005 Notice of Award](#)
 - [SPD-EP002 Bid Tabulation Template](#)

4. **Unsolicited Offers:** Through new GPM Section I.3.7.5., SPD is adopting guidance for a state entity's receipt of an unsolicited offer from a supplier and, if justified, use of the sole source process to make contract award. There is no change to the requirement for competitive bidding of any purchase of \$25,000 or more except as otherwise noted in the GPM.

5. **Revenue-Generating Contracts and Cost-Savings Contracts:** SPD is amending GPM Section I.3.4.5. Open Market Purchases to include new language defining revenue-generating contracts and cost-savings contracts and application of the \$25,000 competitive bidding threshold to the estimated values for these contract types.

6. **Use of Advisory Services or Pilot Projects:** SPD is expanding GPM Section 2.2.3.3. Use of Advisory Services to caution that such services may create conflicts of interests or unfair competitive advantage that may impact suppliers' ability to participate in future competitive procurements. In this same section, SPD is also adopting new language addressing pilot projects or trials and when competitive bidding may be required.

7. **Bridge Contracts:** SPD is amending GPM Section 7.6.3 Contract Extensions to include reference to bridge contracts, which may be extensions of existing state entity contracts or award of new contracts through the sole source process. There is no change to the sole source process or to the current rules governing contract extensions, including when SPD prior approval is required.
8. **Forms Automation:** SPD is updating Chapters 1 and 8 to remove the paper forms and add reference to the online submission process for the following actions: piggyback approval requests and requests to designate agency or college/university procurement officers.
9. **Supplier Debriefing:** SPD is updating Chapter 6 to reference two new supplier debriefing templates and resources: [SPD-AP014 Supplier Debriefing Tips and Suggestions](#) and [SPD-AP015 Supplier Debriefing Record Template](#).
10. **Additional Updates:** Additional updates to the GPM include: (a) updating SPD contact information in Table I.1; (b) identifying issues that may impact suppliers' receipt of courtesy email notifications; (c) removing reference to annual self-audit requirement from Table 8.5, and more as further described in the attached Summary of GPM Changes Table.
11. **General Clean-Up:** SPD will update the GPM Title Page and Signature Page, correct certain typographical errors and repair broken web links.

SPD will conduct webinars to review these changes. Please distribute this Official Announcement internally. For any questions related to this Official Announcement, please contact SPD at process.improvement@doas.ga.gov.



Summary of Georgia Procurement Manual (GPM) Changes January 4, 2021

NOTE: This table summarizes changes to the GPM as announced through Official Announcement #21-03. In the event of any conflict between this Summary of GPM Changes Table and the GPM, the revised GPM shall govern.

GPM Section	Description of Change								
<i>Cover and Signature Pages</i>									
Updated release date and signature page									
<i>Introduction and General Overview</i>									
Section I.1. Introduction to the Manual	<p>Update Table I.1 SPD Contract Information (for questions or comments related to the Georgia Procurement Manual) to remove physical mailing address, remove fax number and update email address. Revised table appears as follows:</p> <table border="1" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" style="background-color: #d3d3d3;">Table I.1 SPD Contact Information</th> </tr> </thead> <tbody> <tr> <td>Phone Number</td> <td>404-657-6000</td> </tr> <tr> <td>Email Address</td> <td>process.improvement@doas.ga.gov</td> </tr> <tr> <td>Web</td> <td>www.doas.ga.gov</td> </tr> </tbody> </table>	Table I.1 SPD Contact Information		Phone Number	404-657-6000	Email Address	process.improvement@doas.ga.gov	Web	www.doas.ga.gov
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Phone Number	404-657-6000								
Email Address	process.improvement@doas.ga.gov								
Web	www.doas.ga.gov								

GPM Section	Description of Change
Section I.3.3. Supplier Registration	<p>Add new language as follows:</p> <p>Suppliers maintaining active registrations with Team Georgia Marketplace™ may take advantage of certain premium services offered by SPD, such as automatic email notification of new contract opportunities posted by state entities. To take advantage of the automatic email notification feature, the registered supplier must select one or more item codes from the National Institute of Governmental Purchasing Commodity/Services Code (NIGP Code™) which best reflect the types of goods and/or services offered by the supplier. The selected codes operate as a filter in that only notices of procurement opportunities which contain one or more of the selected codes will be emailed to the supplier. <u>Email notification is not guaranteed and may be impacted by other factors, such as spam blocker, system performance, employee turnover, etc. Therefore, all suppliers are encouraged to frequently monitor the GPR for announcements.</u> In the event a supplier elects not to use the automatic email notification feature, the supplier may view solicitations by accessing the GPR.</p>
Section I.3.7.5. Unsolicited Offers <i>NEW</i>	<p>Add new section of GPM as follows:</p> <p>I.3.7.5. Unsolicited Offers</p> <p>“An unsolicited offer is any offer other than one submitted in response to a solicitation or a direct request from a state entity. To be considered for evaluation an unsolicited offer: (a) must be in writing; (b) must be sufficiently detailed to allow a judgment to be made concerning the potential utility of the offer to the State; (c) must be unique or innovative to State use; (d) must demonstrate that the proprietary character of the offering warrants the use of sole source procurement; and (e) may be subject to testing under terms and conditions specified by the State.</p> <p>The unsolicited offer may be evaluated to determine its utility to the State and whether it would be to the State’s advantage to enter into a contract based on such offer. If an award is to be made on the basis of such offer, the sole source procedures provided under Section 2.3.2, 2.3.2.1, and 2.3.2.2 shall be followed, and the sole source is subject to protest.</p> <p>Any written request for confidentiality of data contained in an unsolicited offer that is made in writing shall be subject to the Georgia Open Records Act. If an award is made, confidentiality of data shall be agreed upon by the parties and governed by the provisions of the contract. If agreement cannot be reached on confidentiality, the State may reject the unsolicited offer.”</p>

GPM Section	Description of Change
Section I.6. Public Access to Procurement Information	<p>Revise section as follows:</p> <p>Solicitations will be publicly advertised as required by the provisions of this manual. The State Purchasing Act O.C.G.A. § 50-5-67(d)(5) delays the release of certain procurement records in the event the public disclosure of those records prior to the state entity’s public announcements of the results of a solicitation would undermine the public purpose of obtaining the best value for the State of Georgia. Examples of this include cost estimates, proposals/bids, evaluation criteria, evaluation of suppliers, negotiation documents, offers and counteroffers and certain records revealing preparation for the procurement.</p> <p><u>O.C.G.A. § 50-5-67(d)(2)</u>The State Purchasing Act requires bids and proposals <u>the administrative review document, which records every bid or proposal conforming to the terms of the advertisement,</u> to be available to <u>for</u> public inspection, upon request, within one business day of the state entity’s posting of the <u>Notice of Intent to Award</u> (or the <u>Notice of Award</u> in the event the state entity does not issue the Notice of Intent to Award). <u>To satisfy this requirement, the issuing officer may attach any of the following to the NOIA or NOA (whichever comes first):</u> SPD-EP001 Administrative Review Requirements Summary Sheet, SPD-EP002 Bid Tabulation Template, or similar document.</p> <p><u>The register of proposals (as further described in Section 6.1) shall be available, in accordance with the Georgia Open Records Act, after the issuance of the public Notice of Intent to Award (or the Notice of Award in the event the state entity does not issue the Notice of Intent to Award) to the successful bidder or offeror. Such records shall be redacted as provided under O.C.G.A. Sections 50-18-70 et seq.</u> Audited financial statements not otherwise publicly available but required to be submitted in the bid, offer, or proposal are not subject to such public disclosure and must not be disclosed by the state entity.</p> <p>The state entity is allowed to assess a reasonable charge to defray the cost of reproducing documents in accordance with O.C.G.A. Sections 50-18-70 through 50-18-77. A state employee should be present during the time of on-site inspection of documents. For all solicitations conducted by SPD, records requests may be submitted to records.management@doas.ga.gov <u>through DOAS’s records management portal located at https://orr.doas.ga.gov/.</u> For solicitations conducted by a state entity other than DOAS, those records are maintained by the procuring entity and should be requested directly from the Issuing Officer.</p>





GPM Section	Description of Change																		
	<p><u>State entities are allowed to assess a reasonable charge to defray the cost of producing documents in accordance with O.C.G.A. Sections 50-18-70 through 50-18-77.</u></p>																		
<p>Chapter 1: Stage 1 – Need Identification</p>																			
<p>Table 1.1 Referenced Official Forms</p>	<p>Update Table 1.1 to identify new automated submission process for submitting piggyback requests to SPD for approval. Updated table appears as follows:</p> <table border="1" data-bbox="667 862 1898 1114"> <thead> <tr> <th data-bbox="667 862 1421 930">Table 1.1 Referenced Official Forms</th> <th data-bbox="1421 862 1684 930">State Entity Use</th> <th data-bbox="1684 862 1898 930">SPD Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 930 1421 967">SPD-NI001 Fact-Finding Agenda</td> <td data-bbox="1421 930 1684 967">•</td> <td data-bbox="1684 930 1898 967">•</td> </tr> <tr> <td data-bbox="667 967 1421 1005">SPD-NI004 Emergency Justification Form</td> <td data-bbox="1421 967 1684 1005">•</td> <td data-bbox="1684 967 1898 1005"></td> </tr> <tr> <th data-bbox="667 1005 1421 1042">Automated Submission Process</th> <th data-bbox="1421 1005 1684 1042">State Entity Use</th> <th data-bbox="1684 1005 1898 1042">SPD Use</th> </tr> <tr> <td data-bbox="667 1042 1421 1079">Piggyback Request</td> <td data-bbox="1421 1042 1684 1079">•</td> <td data-bbox="1684 1042 1898 1079"></td> </tr> <tr> <td data-bbox="667 1079 1421 1114">Statewide Contract Waiver Request</td> <td data-bbox="1421 1079 1684 1114">•</td> <td data-bbox="1684 1079 1898 1114"></td> </tr> </tbody> </table>	Table 1.1 Referenced Official Forms	State Entity Use	SPD Use	SPD-NI001 Fact-Finding Agenda	•	•	SPD-NI004 Emergency Justification Form	•		Automated Submission Process	State Entity Use	SPD Use	Piggyback Request	•		Statewide Contract Waiver Request	•	
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Piggyback Request	•																		
Statewide Contract Waiver Request	•																		
<p>Section 1.3 Order of Precedence, Diagram 1.1</p>	<p>In Diagram 1.1, Tier 4, replace “SPD Pre-Approved Consortia and Cooperative Purchasing*” with the following phrase:</p> <p>“Cooperative Purchasing*”</p>																		

GPM Section	Description of Change
Section 1.3.4.3. Piggyback Purchases	<p>Incorporate reference to automated submission process for piggyback requests. Revised language as follows:</p> <p>“Further, a state entity will be allowed to use another state entity’s contract only with the prior written approval of the State Purchasing Division Deputy Commissioner, which may be requested by utilizing form SPD-NI006 <u>submitting an online Piggyback Request</u>.”</p>
Section 1.3.4.4. Consortia or Cooperative Purchasing	<p>Revise section as follows:</p> <p>1.3.4.4 Consortia or Cooperative Purchasing</p> <p>In accordance with (O.C.G.A.) Section 50-5-51, DOAS has both the authority and duty to canvass all sources of supply to establish contracts for needed goods and services as well as enter into or authorize agreements with private non-profit <u>cooperative purchasing</u> organizations (<u>sometimes referred to as consortia</u>) or other states and their political subdivisions. Pursuant to this authority, DOAS may enter into and/or authorize state entities to enter into contracts with sources of supply established pursuant to competitive bidding conducted by other governmental entities or cooperative purchasing groups. However, prior to designating a supplier approved by a consortium or purchasing cooperative <u>purchasing organization</u> as an authorized source of supply, the state entity must publicly advertise its intent to contract with the consortium-approved/cooperative-approved-awarded supplier(s) in accordance with the following procedures: The procurement professional must complete the steps outlined in Table 1.7 below prior to finalizing a consortium or cooperative purchase.</p> <p>The consortia/cooperative procurement process does not apply to any of the following purchases:</p> <ul style="list-style-type: none"> • Purchases which are exempt from the competitive solicitation process and/or the State Purchasing Act Purchases, • Purchases from mandatory or convenience statewide contracts, • Purchases from existing state entity contracts, • Purchases pursuant to Tier 3 of the Order of Precedence, • SPD-approved "piggyback" purchases, or • Any contract resulting from a competitive solicitation conducted in accordance with the provisions of this manual even if only one responsive and responsible bid/proposal is received.

GPM Section	Description of Change								
Section 1.3.4.5. Open Market Purchases	<p>Revise Section 1.3.4.5. Open Market Purchases to insert text below directly following 1st paragraph:</p> <p>“Revenue-generating contracts where the State will receive a payment from a supplier rather than the State making a payment to a supplier; cost-savings contracts, where a supplier will receive a payment through the savings recognized by the State; and contracts executed by the State where the supplier will receive payments from an individual or entity other than the State must be competitively procured when the supplier is anticipated to receive more than \$25,000 in payments/revenue. Benefits based funding projects must be procured in accordance with O.C.G.A. § 50-5-77 et seq. and energy savings performance contracts must comply with the requirements of O.C.G.A. § 50-37-1 et seq.”</p>								
Table 1.7 Conducting a Consortia or Cooperative Purchase	<p>Revise Table 1.7 as follows:</p> <table border="1" data-bbox="667 764 1953 1365"> <thead> <tr> <th colspan="2" data-bbox="667 764 1953 870">Table 1.7 Conducting a Consortia or Cooperative Purchase</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 870 1008 1037">Step 1: Conduct Market Research</td> <td data-bbox="1008 870 1953 1037">To determine the appropriateness of a consortia or cooperative purchase, research must be conducted to determine if other goods or service providers exist and can satisfy procurement requirements at the same or better value.</td> </tr> <tr> <td data-bbox="667 1037 1008 1179">Step 2: Prepare Consortia or Cooperative Purchase Justification</td> <td data-bbox="1008 1037 1953 1179">The procurement professional must complete form SPD-NI007.</td> </tr> <tr> <td data-bbox="667 1179 1008 1365">Step 3: Estimate Expected Contract Value and Route to SPD as needed</td> <td data-bbox="1008 1179 1953 1365"><u>As described in Section 2.5.2. One-Time Request to Exceed Delegated Purchasing Authority,</u> The procurement professional must estimate the expected contract value to determine whether the cooperative purchase is within the state entity’s delegated purchasing authority.</td> </tr> </tbody> </table>	Table 1.7 Conducting a Consortia or Cooperative Purchase		Step 1: Conduct Market Research	To determine the appropriateness of a consortia or cooperative purchase, research must be conducted to determine if other goods or service providers exist and can satisfy procurement requirements at the same or better value.	Step 2: Prepare Consortia or Cooperative Purchase Justification	The procurement professional must complete form SPD-NI007.	Step 3: Estimate Expected Contract Value and Route to SPD as needed	<u>As described in Section 2.5.2. One-Time Request to Exceed Delegated Purchasing Authority,</u> The procurement professional must estimate the expected contract value to determine whether the cooperative purchase is within the state entity’s delegated purchasing authority.
Table 1.7 Conducting a Consortia or Cooperative Purchase									
Step 1: Conduct Market Research	To determine the appropriateness of a consortia or cooperative purchase, research must be conducted to determine if other goods or service providers exist and can satisfy procurement requirements at the same or better value.								
Step 2: Prepare Consortia or Cooperative Purchase Justification	The procurement professional must complete form SPD-NI007.								
Step 3: Estimate Expected Contract Value and Route to SPD as needed	<u>As described in Section 2.5.2. One-Time Request to Exceed Delegated Purchasing Authority,</u> The procurement professional must estimate the expected contract value to determine whether the cooperative purchase is within the state entity’s delegated purchasing authority.								

GPM Section	Description of Change	
		<ul style="list-style-type: none"> a. In the event the state entity’s delegated purchasing authority varies depending on the type of solicitation, the procurement professional should use the authority amount for the <u>RFQ-RFP</u> process unless the State Purchasing Division Deputy Commissioner has specified a delegated purchasing authority specific to the consortium/cooperative procurement process. b. If the value of the consortium or cooperative purchase exceeds the state entity’s delegated purchasing authority, the state entity must either submit the consortium or cooperative purchase to SPD for processing or request SPD’s approval to process the consortium or cooperative purchase posting by submitting to SPD a one-time request to exceed delegated purchasing authority as described in Section 2.5.2. One-Time Request to Exceed Delegated Purchasing Authority.
	Step 4: Post Public Notice	<p>The procurement professional must provide public notice of the intended consortium or cooperative purchase or contract through a posting to the GPR. The purpose of publicizing the intended consortium or cooperative purchase is to allow suppliers to challenge a cooperative or consortium purchase prior to contract award if suppliers believe and can document that they also meet the requirements of the potential cooperative or consortium purchase at the same or better value.</p> <p>The total posting period for a consortium or cooperative purchase notice is determined by the estimated contract value. If the estimated contract value is \$25,000 - \$249,999.99, the notice is to be posted for a minimum of five (5) business days. If the estimated contract value is \$250,000 or greater, the notice is to be posted for a minimum of fifteen (15) calendar days.</p>
	Step 5: Invite Market Response	The GPR posting must include the following:

GPM Section	Description of Change	
		<ul style="list-style-type: none"> • identify <u>identity</u> of non-profit or governmental entity <u>and/ or cooperative purchasing organization</u> who awarded the contract or agreement, • date the consortium contract or cooperative purchasing agreement was awarded, • name and number of the consortium contract or cooperative purchasing agreement, • explain confirmation if that the consortium contract or cooperative purchasing agreement was competitively bid and if so, how it was bid, • supplier(s) to whom the consortium contract or cooperative purchasing agreement was awarded, • supplier(s) the entity will be using under the contract, • proposed State Entity Contract term (including renewals, if applicable), • a detailed description of the goods/services to be purchased including the exact quantities, • estimated or fixed dollar value of the goods/services to be awarded utilizing the consortium contract/cooperative purchasing agreement (including unit prices, if applicable, and total contract award value), • reason for utilization of the consortium contract/cooperative purchasing agreement,

GPM Section	Description of Change	
		<ul style="list-style-type: none"> the completed form SPD-NI007 Notice of Intent to Utilize Consortium Contract or Cooperative Purchasing Agreement form, and instructions to interested suppliers to file any challenges to the consortia/cooperative purchase in accordance with SPD 's established process for resolving protests. <p>The published notice serves as the state entity's Notice of Intent to Award. A sample notice is provided in Table 1.8 below. In addition, during the development of the GPR  posting, the procurement professional must select appropriate NIGP Codes™ to facilitate advertisement of the intended consortia/cooperative purchase.</p>
	Step 6: Complete Protest Process	<p>In the event a supplier is capable of providing the needed goods/services at the same or better value, the supplier must file a protest with the State Purchasing Division Deputy Commissioner prior to the close of the consortia/cooperative notice. Any such protest will be resolved by DOAS  in accordance with the provisions of this manual.</p>
	Step 7: Contract Award	<p>In the event the consortia/cooperative procurement is not successfully challenged, the state entity may proceed directly to contract award. The state entity must complete SPD-AP005 Notice of Award, indicating the contract award amount, and post it directly to the GPR .</p>

GPM Section	Description of Change		
Table 1.8 Consortia/Cooperative Procurement Sample Notice	<p>Revise table and text as follows:</p> <p>Table 1.8 shows a sample consortia/cooperative procurement notice:</p> <table border="1" data-bbox="667 337 1955 743"> <thead> <tr> <th data-bbox="667 337 1955 443">Table 1.8 Consortia/Cooperative Procurement Sample Notice</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 443 1955 743"> <p>[Insert State Entity Name] is providing public notice of its intent to award a contract to [Insert Name of Consortia/Cooperative] to provide [Insert Description of Goods/Services]. [Insert Name of Consortia/Cooperative] has been identified as the supplier for this purchase for the reasons stated in the attached Consortia/Cooperative Justification Form. Any supplier capable of providing the identified goods/services at the same or better value may challenge this determination by filing a written protest with the Deputy Commissioner of the State Purchasing Division (SPD) in accordance with the protest procedures outlined in Section 6.5. Step 4 – Supplier Participates in Protest Process. The protest must be received prior to the closing date and time identified herein.</p> </td> </tr> </tbody> </table>	Table 1.8 Consortia /Cooperative Procurement Sample Notice	<p>[Insert State Entity Name] is providing public notice of its intent to award a contract to [Insert Name of Consortia/Cooperative] to provide [Insert Description of Goods/Services]. [Insert Name of Consortia/Cooperative] has been identified as the supplier for this purchase for the reasons stated in the attached Consortia/Cooperative Justification Form. Any supplier capable of providing the identified goods/services at the same or better value may challenge this determination by filing a written protest with the Deputy Commissioner of the State Purchasing Division (SPD) in accordance with the protest procedures outlined in Section 6.5. Step 4 – Supplier Participates in Protest Process. The protest must be received prior to the closing date and time identified herein.</p>
Table 1.8 Consortia /Cooperative Procurement Sample Notice			
<p>[Insert State Entity Name] is providing public notice of its intent to award a contract to [Insert Name of Consortia/Cooperative] to provide [Insert Description of Goods/Services]. [Insert Name of Consortia/Cooperative] has been identified as the supplier for this purchase for the reasons stated in the attached Consortia/Cooperative Justification Form. Any supplier capable of providing the identified goods/services at the same or better value may challenge this determination by filing a written protest with the Deputy Commissioner of the State Purchasing Division (SPD) in accordance with the protest procedures outlined in Section 6.5. Step 4 – Supplier Participates in Protest Process. The protest must be received prior to the closing date and time identified herein.</p>			
Chapter 2: Stage 2 – Pre-Solicitation			
Section 2.2.3.3. Use of Advisory Services	<p>Revise section as follows:</p> <p>“The sState of Georgia recognizes the value of advisory or consultative services which suppliers often provide to state entities. Services of this type will nonetheless be regarded as normal sales effort, and no preferential treatment will be given to suppliers providing such services when contracts are awarded. Moreover, no compensation may be paid for any such services unless they were provided pursuant to an existing contract.</p> <p><u>Suppliers providing advisory or consultative services are cautioned that suppliers may not participate in future competitive procurements where an organizational conflict of interest may arise due to the advisory or consultative services provided to the State, even if such services are at no cost. Accordingly, suppliers are cautioned to consider the impact on future procurement opportunities, including but not limited to, whether the supplier may obtain an unfair competitive advantage over other parties by virtue of the supplier’s performance of such advisory or consultative services.</u></p> <p>Equipment provided and installed by a supplier for the purpose of demonstration will not be given preferential recognition in contract awards, and the state entity will not be liable for any charges or</p>		

GPM Section	Description of Change									
	<p>costs incurred by suppliers in making such equipment available, nor will the state entity be under any obligation to purchase or pay in any manner when a supplier, upon the state entity’s request, delivers the equipment or other products for test or trial.</p> <p><u>Pilot projects and trials may be used by a state entity to test the viability of a project idea before substantial resources are committed. The state entity should competitively procure goods, services, and technology for pilot projects and trials whenever such competition is possible if the potential future project is expected to result in a contract exceeding \$25,000 or is not otherwise exempt.”</u></p>									
Chapter 3: Stage 3 – Solicitation Preparation										
Table 3.1 Referenced Official Forms	<p>Add two new rows to Table 3.1 as follows:</p> <table border="1" data-bbox="667 667 1898 812"> <thead> <tr> <th data-bbox="667 667 1419 737">Table 3.1 Referenced Official Forms</th> <th data-bbox="1419 667 1684 737">State Entity Use</th> <th data-bbox="1684 667 1898 737">SPD Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 737 1419 773">SPD-SP044 Trade Secret Affidavit</td> <td data-bbox="1419 737 1684 773">•</td> <td data-bbox="1684 737 1898 773">•</td> </tr> <tr> <td data-bbox="667 773 1419 808">SPD-SP060 Contracting with State Entities</td> <td data-bbox="1419 773 1684 808">•</td> <td data-bbox="1684 773 1898 808">•</td> </tr> </tbody> </table>	Table 3.1 Referenced Official Forms	State Entity Use	SPD Use	SPD-SP044 Trade Secret Affidavit	•	•	SPD-SP060 Contracting with State Entities	•	•
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SPD-SP044 Trade Secret Affidavit	•	•								
SPD-SP060 Contracting with State Entities	•	•								
Chapter 4: Stage 4 – Solicitation Process										
Section 4.2.3. Email Notifications	<p>Add new language as follows:</p> <p>“SPD offers email notifications of new solicitations as an optional service to registered suppliers. <u>Email notification is not guaranteed and may be impacted by other factors, such as spam blocker, system performance, employee turnover, etc. Therefore, all suppliers are encouraged to frequently monitor the GPR for announcements.</u> Suppliers should review Section I.3.3. - Supplier Registration for additional information regarding this optional service.”</p>									
Chapter 5: Stage 5 – Evaluation Process										
Table 5.1 Referenced Official Forms	<p>Add new row to Table 5.1 as follows:</p> <table border="1" data-bbox="667 1276 1898 1382"> <thead> <tr> <th data-bbox="667 1276 1419 1346">Table 5.1 Referenced Official Forms</th> <th data-bbox="1419 1276 1684 1346">State Entity Use</th> <th data-bbox="1684 1276 1898 1346">SPD Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 1346 1419 1382">SPD-EP002 Bid Tabulation Template</td> <td data-bbox="1419 1346 1684 1382">•</td> <td data-bbox="1684 1346 1898 1382">•</td> </tr> </tbody> </table>	Table 5.1 Referenced Official Forms	State Entity Use	SPD Use	SPD-EP002 Bid Tabulation Template	•	•			
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SPD-EP002 Bid Tabulation Template	•	•								

GPM Section	Description of Change									
Section 5.6.3.1. Evaluating Responses to RFQs	<p>Add new language as follows:</p> <p>“For all contracts established through the RFQ process, unless otherwise specified in the solicitation that price match has been allowed, award will be made to the lowest priced responsible and responsive supplier. This is the supplier, whose bid meets the specifications, who agrees to contract terms and conditions with the state entity, and who is clearly capable of performing the resulting contract. Therefore, the awarded supplier may not always be the supplier who has submitted the lowest monetary bid if any of the conditions outlined above are not met. Unless otherwise provided for in the RFQ, award may be made by individual line item, by groups of line items, or for the aggregate total of all line items. <u>The issuing officer will document the results of the evaluation process in writing using SPD-EP002 Bid Tabulation Sheet or similar document.</u>”</p>									
Section 5.9.5. Contract Discussions	<p>Add the following to the section:</p> <p>“Suppliers should consult SPD-SP060 “Contracting with State Entities” and O.C.G.A. Section 50-5-64.1 when preparing contract exceptions in order to gain an understanding regarding common exceptions which may be rejected by state entities due to legal or policy concerns.”</p>									
Chapter 6: Stage 6 – Award Process										
Table 6.1 Referenced Official Forms	<p>Update Table 6.1, Referenced Official forms to include the following new resources added as additional rows to the table:</p> <table border="1" data-bbox="667 976 1898 1117"> <thead> <tr> <th data-bbox="667 976 1421 1040">Table 6.1 Referenced Official Forms</th> <th data-bbox="1421 976 1684 1040">State Entity Use</th> <th data-bbox="1684 976 1898 1040">SPD Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 1040 1421 1081">SPD-AP014 Supplier Debriefing Tips and Suggestions</td> <td data-bbox="1421 1040 1684 1081" style="text-align: center;">•</td> <td data-bbox="1684 1040 1898 1081" style="text-align: center;">•</td> </tr> <tr> <td data-bbox="667 1081 1421 1117">SPD-AP015 Supplier Debriefing Record Template</td> <td data-bbox="1421 1081 1684 1117" style="text-align: center;">•</td> <td data-bbox="1684 1081 1898 1117" style="text-align: center;">•</td> </tr> </tbody> </table>	Table 6.1 Referenced Official Forms	State Entity Use	SPD Use	SPD-AP014 Supplier Debriefing Tips and Suggestions	•	•	SPD-AP015 Supplier Debriefing Record Template	•	•
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SPD-AP014 Supplier Debriefing Tips and Suggestions	•	•								
SPD-AP015 Supplier Debriefing Record Template	•	•								
Section 6.1 Introduction to the Award Stage	<p>Add language as follows:</p> <p>“Chapter 6 - Stage 6 – Award Process begins once the state entity is ready to publicly announce the results of the evaluation process.</p> <p><u>In preparation for the announcement, the issuing officer shall prepare a register of bids, offers, or proposals, which shall include the evaluation documents and a copy of all bids, offers, or proposals.</u>”</p>									

GPM Section	Description of Change												
	<p><u>negotiation documents (if any), and best and final offers, which shall become available for public inspection as provided in Section I.6.</u></p> <p>Once the results of the evaluation process have been published, suppliers may review procurement documents <u>as further discussed in Section I.6.</u> In the event a material error is identified that impacts the results of the procurement process, suppliers must report such error to SPD in accordance with the protest process identified in this stage. Some of the following steps may overlap; however, the material for the Award Stage has been organized as outlined in Table 6.2:”</p>												
Table 6.2 Stage 6 Award Process – Major Steps	<p>Replace Table 6.2 with the following:</p> <table border="1" data-bbox="667 573 1883 933"> <thead> <tr> <th colspan="2" data-bbox="667 573 1883 678">Table 6.2 Stage 6 Award Process – Major Steps</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 678 835 748">Step 1</td> <td data-bbox="835 678 1883 748">State publishes results of evaluation process (either NOIA or NOA as applicable)</td> </tr> <tr> <td data-bbox="667 748 835 784">Step 2</td> <td data-bbox="835 748 1883 784">Procurement Records Become Available</td> </tr> <tr> <td data-bbox="667 784 835 820">Step 3</td> <td data-bbox="835 784 1883 820">Supplier reviews published results</td> </tr> <tr> <td data-bbox="667 820 835 855">Step 4</td> <td data-bbox="835 820 1883 855">Supplier participates in protest process (as applicable)</td> </tr> <tr> <td data-bbox="667 855 835 933">Step 5</td> <td data-bbox="835 855 1883 933">For contracts of \$100,000 or more, State Entity executes contract and posts NOA</td> </tr> </tbody> </table>	Table 6.2 Stage 6 Award Process – Major Steps		Step 1	State publishes results of evaluation process (either NOIA or NOA as applicable)	Step 2	Procurement Records Become Available	Step 3	Supplier reviews published results	Step 4	Supplier participates in protest process (as applicable)	Step 5	For contracts of \$100,000 or more, State Entity executes contract and posts NOA
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Step 5	For contracts of \$100,000 or more, State Entity executes contract and posts NOA												
Section 6.5. Step 4 – Supplier Participates in Protest Process	<p>Revise the general principles that apply to the review of protests as follows:</p> <ul style="list-style-type: none"> • Added: “DOAS will consider protests regarding Notices of Intent to Award contracts procured through solicitations conducted by other states, political subdivisions, or cooperative purchasing organizations, as permitted under Section 1.3.4.4. of the GPM, reviewing factors such as the market research conducted by the State Entity and operational considerations of the State Entity; information submitted by the protesting party, including whether the protesting party is willing to offer a value comparable to that offered under the cooperative contract identified by the State Entity; and background information regarding the conduct of the cooperative procurement that the State Entity is seeking to adopt.” 												

GPM Section	Description of Change
Section 6.5.6. Filing Protests	<p>Add language as follows:</p> <p>“A protest is considered to be properly filed when it is in writing and signed by a company officer authorized to sign contracts on behalf of the supplier <u>or legal counsel that has been engaged by the supplier</u>, is submitted via e-mail to protests@doas.ga.gov, and is received by the Deputy Commissioner within the filing period.”</p>
Section 6.5.7. Filing Deadlines	<p>Revise language as follows:</p> <p>“Protests must be received within ten (10) calendar days after the protesting party knows or should have known of the occurrence of the action which is protested, or the protest filing deadline located in Table 6.9 <u>Table 6.8</u>, whichever date is earlier. DOAS will not consider untimely protests absent evidence of malfeasance or administrative error by the state entity that substantially impaired an interested supplier’s ability to file a timely protest. In the event that a state entity does not provide timely access to records as required pursuant to (O.C.G.A.) Section 50-5-67(d)(2), <u>included in the register of proposals or the administrative review within one business day of issuance of the Notice of Intent to Award, the interested supplier may file, within the filing period, a request for extension of the filing period to extend the protest period by the number of days that it takes for the state entity to produce the records beyond the first business day. In the event that a state entity does not provide timely access to records other than those that comprise the register of proposals or administrative review</u>, the interested supplier is required to file a protest within the filing period, indicating the failure of the state entity to provide timely access to records and reserving the right to file an amended protest upon production of such records. A Checklist for Bid Posting Times and Protest Filings, SPD-SP014, can be viewed on the DOAS State Purchasing website for more details. If an interested supplier fails to file a protest by the applicable deadline, DOAS may, at its discretion, deem such failure as the supplier’s voluntary relinquishment of any grounds the supplier may have for protesting through DOAS’ protest process or through subsequent litigation.”</p>
Section 6.6.2. Process for Requesting and Conducting Supplier Debriefings	<p>Add the following language:</p> <p>“<u>For assistance in conducting the supplier debriefing, the issuing officer may reference SPD-AP014 Supplier Debriefing Tips and Suggestions</u>. Requests for supplier debriefing that are not timely submitted or concern solicitations not within the scope of Section 6.6.1 may be granted by the state entity at its sole discretion.”</p>

GPM Section	Description of Change												
Section 6.6.3. Documentation of Supplier Debriefings	<p>Add the following language:</p> <p>“Documentation of the supplier debriefing should be maintained by the state entity as part of the procurement files. Documentation of the debriefing process includes, but is not limited to, the supplier’s request, state entity’s response and any other related correspondence, meeting agenda, list of individuals attending the meeting, any written documents provided to the supplier, any notes taken during the debriefing, etc. <u>The issuing officer may use SPD-AP015 Supplier Debriefing Record Template as an optional resource for documenting the supplier debriefing.</u> A supplier’s request to receive procurement records as part of the debriefing process will be handled in accordance with the Georgia Open Records Act.”</p>												
Chapter 7: Stage 7 – Contract Process													
Section 7.6.3. Contract Extensions	<p>Revise section title and add additional paragraph at the beginning:</p> <p>Section 7.6.3 Contract Extensions and Bridge Contracts <u>When an existing contract is set to expire but the follow-on contract is not ready to be awarded, it may be necessary for the state entity to extend the existing contract or award a short-term sole-source contract to avoid a gap in service. These have been referred to as “bridge contracts.” Extensions of existing contracts and bridge contacts may be necessitated by several different factors, such as delays in the procurement process, unexpected changes to program requirements or supplier protests. Bridge contracts awarded through the sole source process must comply with Section 2.3.2 Sole Source Purchases. Contract extensions shall comply with the processes outlined below.</u></p>												
Chapter 8: Operational													
Table 8.1 Referenced Official Forms	<p>Update Table 8.1 to identify new automated submission process for submitting requests to designate agency and college/university procurement officers. Updated table appears as follows:</p> <table border="1" data-bbox="667 1187 1898 1393"> <thead> <tr> <th data-bbox="667 1187 1423 1255">Table 8.1 Referenced Official Forms</th> <th data-bbox="1423 1187 1686 1255">State Entity Use</th> <th data-bbox="1686 1187 1898 1255">SPD Use</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 1255 1423 1323">SPD-OP007 One Time Request to Exceed Delegated Purchasing Authority</td> <td data-bbox="1423 1255 1686 1323">•</td> <td data-bbox="1686 1255 1898 1323"></td> </tr> <tr> <td data-bbox="667 1323 1423 1360">SPD-OP008 Permanent Increase to RFP DPA Request</td> <td data-bbox="1423 1323 1686 1360">•</td> <td data-bbox="1686 1323 1898 1360"></td> </tr> <tr> <td data-bbox="667 1360 1423 1393">Automated Submission Process</td> <td data-bbox="1423 1360 1686 1393">State Entity Use</td> <td data-bbox="1686 1360 1898 1393">SPD Use</td> </tr> </tbody> </table>	Table 8.1 Referenced Official Forms	State Entity Use	SPD Use	SPD-OP007 One Time Request to Exceed Delegated Purchasing Authority	•		SPD-OP008 Permanent Increase to RFP DPA Request	•		Automated Submission Process	State Entity Use	SPD Use
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GPM Section	Description of Change							
	Designation of State Entity Procurement Officer (APO or CUPO)	<ul style="list-style-type: none"> • 						
Section 8.2.2. Identifying New APO/CUPO	Incorporate reference to automated submission process for piggyback requests. Revised language as follows: <ol style="list-style-type: none"> 1. "After identifying a candidate, request SPD's approval of the candidate by completing and submitting SPD-OP001 <u>the online Designation of State Entity Procurement Officer request</u> to SPD in accordance with the instructions contained on the form." 							
Section 8.4.4. Re-Certification, Table 8.5 Training Re-Certification	Delete the last row of the table as follows: <table border="1" data-bbox="667 639 1955 1122" style="margin-left: auto; margin-right: auto;"> <thead> <tr> <th colspan="2" data-bbox="667 639 1955 743">Table 8.5 Training Re-Certification</th> </tr> <tr> <th data-bbox="667 743 1050 813">Certificate Description</th> <th data-bbox="1050 743 1955 813">Completion Deadline</th> </tr> </thead> <tbody> <tr> <td data-bbox="667 813 1050 1122" style="text-align: center;"> APO/CUPO Specific Re-certification Requirement </td> <td data-bbox="1050 813 1955 1122"> For any individual designated as APO/CUPO for an entity or an affiliate, re-certification will also be contingent on completion and delivery of an annual self-audit and spend analysis report for every year during the certification period. The self-audit and spend analysis report must be submitted to training@doas.ga.gov by February 15 each year. NOTE: Instructions for completing this report can be located in the SPD LMS as "Instructions for Annual APO/CUPO Self-Audit Report". </td> </tr> </tbody> </table>		Table 8.5 Training Re-Certification		Certificate Description	Completion Deadline	APO/CUPO Specific Re-certification Requirement	For any individual designated as APO/CUPO for an entity or an affiliate, re-certification will also be contingent on completion and delivery of an annual self-audit and spend analysis report for every year during the certification period. The self-audit and spend analysis report must be submitted to training@doas.ga.gov by February 15 each year. NOTE: Instructions for completing this report can be located in the SPD LMS as "Instructions for Annual APO/CUPO Self-Audit Report".
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Global Edits								
<ul style="list-style-type: none"> • Update certain web links and correct certain typographical errors 								