



POLICY AND PROCEDURE STATEMENT

ADM 10.1.1 Procurement

Purpose: The following Policy and Procedure Statement provides guidance to agency personnel in the procedures used to procure necessary goods and services for use by the agency.

Effective Date: 09/02/2021

Superseded Policy: ADM 10.1.0 Procurement

References: 47 O.S. §759, 40 O.A.C. 1-1-3, 74 O.S. §85.1, *et. seq.* ; OMES Purchasing Reference Guide

Related Forms: <https://oklahoma.gov/omes/services/purchasing/central-purchasing-library.html>

Approved By: Joshua Smith

1. All acquisitions of the Board of Tests for Alcohol and Drug Influence (BOT) shall comply with the provisions of the Central Purchasing Act, 74 O.S. §85.1, *et. seq.*, including but not limited to provisions related to the State Use Committee, State of Oklahoma Policy and Procedures for Purchase Card, the Administrative rules of the Oklahoma Central Purchasing Division, and these internal purchasing procedures. An agency review of their procurement procedures should occur annually, with resubmission for review and approval to the Office of Management and Enterprise Services (OMES) Central Purchasing every 2 years.
2. These policies apply to all purchases by BOT.
 - a. Sole Source acquisitions: Sole source acquisitions are permitted in appropriate circumstances with supporting justification. Sole source acquisitions are single acquisitions and cannot be renewed without re-certification annually.
 - b. Interagency purchases are not subject to the requirements of the Central Purchasing Act.
3. Amendments to these procedures shall be submitted to the State Purchasing Director for review and approval pursuant to 74 O.S. § 85.39.
4. Purchasing Restrictions:
 - a. Food or beverage purchases shall be expressly authorized by the agency Executive Director utilizing the agency purchase request form prior to carrying out such action.
 - b. Purchases for food or beverage may only be made for a BOT hosted training event or conference serving a public purpose.
 - c. Purchases for Standardized Field Sobriety Test (SFST) Training Alcohol requires special exception not to exceed 12 months as referenced in the State P-Card Procedures. Utilizing CP 030 Form, the document must be signed, approved and on file with the State P-Card Administrator and the BOT administrative offices prior to taking any actions to purchase training alcohol. Furthermore, the State P-Card Administrator must authorize the action prior to commencing the purchase.
5. Certified Procurement Officer (CPO):

- a. Through an agreement between BOT and Agency Business Services (ABS), ABS shall appoint authorized ABS employees as a primary and secondary CPO for BOT. The appointees shall maintain their certification as a Certified Procurement Officer with the State of Oklahoma.
 - b. The CPO shall process all requisitions for BOT utilizing the procurement process developed and managed by ABS.
 - c. In the event the primary ABS CPO is unavailable, the secondary ABS CPO shall process all requisitions for BOT.
 - d. The CPO shall review all requests and attached documents to ensure accuracy and the availability of funds prior to processing requisitions. Unless already provided, acquisitions requiring affidavits and certifications by the Director or Cabinet Secretary shall be forwarded to the Director or Cabinet Secretary for their approval or disapproval.
 - e. The CPO shall initiate a purchase order through the state procurement system pursuant to ABS' own rules.
 - f. BOT is responsible for evaluating all completed acquisitions for accuracy and compliance with solicitation specifications.
6. BOT Signature Authority:
- a. The Director shall establish signature authority for the BOT and shall provide the CPO with a list of authorized signatures utilizing CP 001 Form, <https://oklahoma.gov/omes/services/purchasing/central-purchasing-library.html> , and shall be submitted electronically to ABS and OMES Central Purchasing upon completion.
7. BOT Purchase Requests:
- a. The agency Director or those individuals established by the agency Director as signatories (requestors) shall complete requests for acquisitions or solicitations with the CPO.
 - b. The CPO shall review the request for completeness and availability of funds and process requests accordingly.
 - c. The agency Director will determine the need for any BOT acquisition.
8. Additional Documents:
- a. The language in 74 O.S. § 85.41-42 must be included in professional and non-professional service contracts as terms of the contract.
 - b. Sole Source/Sole Brand Certification: BOT shall attach a sole source/sole brand certification, OMES FORM CP 002, for acquisitions of \$5,000.00 or more and may be available only through a single vendor or manufacturer.
 - c. Change orders: BOT will submit change orders on purchase orders pursuant to Central Purchasing Rules, to either increase a purchase order on an as needed basis, or cancel the remaining balance on purchase orders at the end of the fiscal year and submit to the ABS CPO for processing.
 - d. Supplemental documentation: BOT may attach supplemental documentation or narrative explanations related to purchases upon its own initiative or at the request of the ABS CPO.
9. Supplier's Protest:

- a. BOT will comply with current OMES rules with regard to supplier's protests pursuant to OAC 260:115-3-19.
10. BOT Acquisition Records:
- a. The ABS CPO shall maintain all original documents for each acquisition in a centralized file. BOT will maintain copies of all documents for each acquisition. These records will include justification for the acquisition, supporting documents, acquisition contract, evaluations and written reports, as appropriate to the acquisition. ABS and BOT shall retain all records relative to acquisitions and contracts for the duration of the contract term and for a period of 7 years following completion or termination of the acquisition. If an audit, litigation, or other action involving such records is started before the end of the 7 year period, the records shall be maintained for 2 years from the date all issues arising from the action are resolved or until the end of the 7 year retention period, whichever is later.
11. Audit:
- a. Records shall be available for audit by those authorized to audit state agency records. Records shall be audited as required by the State, the Federal governmental authorities, or the State Purchasing Director.
12. Monitoring:
- a. The agency CPO shall monitor all agency acquisitions and ensure the quantities and qualities of good/services received meet BOT's needs.
13. Reporting:
- BOT shall submit the following reports to ABS as required or requested
- a. Professional Services Contract Report – Professional services contracts will be evaluated and any deficiencies noted shall be reported to the State Purchasing Director.
 - b. Other Reports – All other reports will be prepared in accordance with the Central Purchasing Act and Central Purchasing Rules. Examples of other reports include, but are not limited to: Professional and Non-Professional Service Contracts Entered Into, Sole Source and Sole Brand, Emergency Requisitions, Structured Settlement Agreements, Settlement Agreements, Agency Cost Savings, and Fixed Rate Service Contracts.
14. Purchase Card Procurement:
- a. All BOT purchase card acquisitions shall comply with the provisions of the State of Oklahoma Purchase Card Procedures as issued by OMES.
15. Violations of these purchasing policies will result in corrective disciplinary action, up to and including termination.

END OF POLICY AND PROCEDURE STATEMENT