



A. ACQUISITION THRESHOLDS

A.0. \$0 - \$5,000 THRESHOLD - Purchasing requirements for \$0 to \$5,000:	check
A.0.1. The purchase order was signed and approved by a designated individual in accordance with the signature authorization list maintained by the agency. (OAC 580:16-5-13.(b))	<input type="checkbox"/>
A.0.2. The acquisition method used was appropriate. State use, statewide contracts & OCI (if lowest and best bid) were checked before open market acquisition was made. (OAC 580:16-7-3.)	<input type="checkbox"/>
A.0.3. The acquisition process and acquisition was fair and reasonable. (74 O.S. § 85.5.C.11.a. & OAC 580:16-7-11.)	<input type="checkbox"/>
A.0.4. Payment of products or services pursuant to a contract executed by state agency shall be made only after products have been provided or services rendered. (74 O.S. § 85.44.B. and OAC 580:16-9-5.(b))	<input type="checkbox"/>

A.1. \$5,000.01 - \$25,000 THRESHOLD - Purchasing requirements for \$5,000.01 to \$25,000:	check
A.1.1. The agency prepared and documented the agency's specifications and all information required from the supplier for an acquisition. (OAC 580:16-7-13.(b))	<input type="checkbox"/>
A.1.2. Minimum solicitations for acquisitions: <ul style="list-style-type: none"> • Acquisitions over \$5,000.00 and not exceeding \$10,000.00 - minimum three (3) solicitations • Acquisitions over \$10,000.00 and not exceeding \$25,000.00 - minimum ten (10) solicitations from registered suppliers in the appropriate commodity classification (OAC 580:16-7-13.(c)(1))	<input type="checkbox"/>
A.1.1. The acquisition method used was appropriate. State use, statewide contract & OCI (if lowest and best bid) were checked before open market acquisition was made. (OAC 580:16-7-3.)	<input type="checkbox"/>
A.1.2. The purchase order was signed and approved by a designated individual in accordance with the signature authorization list maintained by the agency. (OAC 580:16-5-13.(b))	<input type="checkbox"/>
A.1.1. State agencies shall solicit prices and delivery dates by mail, telephone, facsimile or by means of electronic commerce. (OAC 580:16-7-13.(c)(2))	<input type="checkbox"/>
A.1.2. The state agency shall make a written evaluation of criteria considered in selection of the supplier for the acquisition. Documentation of prices, delivery dates and the evaluation shall be placed in the acquisition file. (OAC 580:16-7-13.(c)(3))	<input type="checkbox"/>
A.1.5. Any competitive bid submitted to the State of Oklahoma or contract executed by the state for goods or services shall contain a certification (OMES-FORM-CP-004 , "Certification for Competitive Bid and Contract, Non-collusion Certification") stated in Section 85.22 of Title 74. (74 O.S. 85.22 and OAC 580:16-7-13.(c)(5)(A))	<input type="checkbox"/>
A.1.6. Verify the supplier has obtained a current sales tax permit. Verification of sales tax permit, copy of sales tax permit or exemption document was documented in the acquisition file. (OAC 580:15-7-13(c)(5)(B) and (74 O.S. § 85.5.O.)	<input type="checkbox"/>
A.1.7. The state agency reciprocated the bidding preferences given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to Central Purchasing Act. (74 O.S. § 85.17A.A.)	<input type="checkbox"/>

A.2. \$25,000.01-\$50,000 THRESHOLD - Purchasing requirements for \$25,000.01 to \$50,000:	check
A.2.1. The acquisition method used was appropriate. State use, statewide contract & OCI (if lowest and best bid) were checked before open market acquisition was made. (OAC 580:16-7-3.)	<input type="checkbox"/>
A.2.2. The purchase order was signed and approved by a designated individual in accordance with the signature authorization list maintained by the agency. (OAC 580:16-5-13.(b))	<input type="checkbox"/>
A.2.3. The agency prepared and documented the agency's specifications for the acquisition. The agency provided the specifications, terms and conditions for the acquisition to each supplier selected for notification. The invitation to bid or request for proposal, include evaluation criteria for the acquisition. (OAC 580:16-7-15(b))	<input type="checkbox"/>
A.2.4. The state agency shall solicit all registered suppliers in the appropriate commodity classification from the Supplier List along with any other suppliers identified by the state agency. (OAC 580:16-7-15.(c)(1))	<input type="checkbox"/>
A.2.5. Suppliers that have been suspended or debarred by the State Purchasing Director or the Federal government shall not be awarded a contract. (OAC 580:16-7-15.(c)(1))	<input type="checkbox"/>
A.2.6. State agencies solicited prices and delivery dates by means of sealed bid using mail or electronic commerce. The suppliers provided pricing and delivery dates in accordance with the requirements of the solicitation. (OAC 580:16-7-15.(c)(2))	<input type="checkbox"/>
A.2.7. The acquisition file contained written evaluation of criteria considered in selection of the supplier for the acquisition. (OAC 580:16-7-15.(c)(3))	<input type="checkbox"/>
A.2.8. Award was based on lowest and best or best value criteria. (OAC 580:16-7-15.(c)(4))	<input type="checkbox"/>
A.2.9. Any competitive bid submitted to the State of Oklahoma or contract executed by the state for goods or services shall contain a certification (OMES-FORM-CP-004 , "Certification for Competitive Bid and Contract, Non-collusion Certification") stated in Section 85.22 of Title 74. (74 O.S. 85.22. and OAC 580:16-7-15.(c)(5)(A))	<input type="checkbox"/>
A.2.10. Verify the supplier has obtained a current sales tax permit. Verification of sales tax permit, copy of sales tax permit or exemption document was documented in the acquisition file. (74 O.S. § 85.5.O., OAC 580:16-7-15.(c)(5)(B))	<input type="checkbox"/>
A.2.11. Prior to the award of a contract, the acquiring state agency must verify, pursuant to applicable provisions of law, that the supplier is registered with the Secretary of State and franchise tax payment status pursuant to 68 O.S. §1203 and §1204. (OAC 580:16-7-15.(c)(5)(E))	<input type="checkbox"/>
A.2.12. The state agency reciprocated the bidding preferences given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to Central Purchasing Act. (74 O.S. § 85.17A.A.)	<input type="checkbox"/>
A.2.13. The supplier is eligible to do business in the State of Oklahoma by confirming registration with the Secretary of State and franchise tax payment status pursuant to Sections 1203 and 1204 of Title 68 of the Oklahoma Statutes. The provisions of this subsection shall be applicable only if the contract amount is Twenty-five Thousand Dollars (\$25,000.00) or greater. (74 O.S. §85.5.N.)	<input type="checkbox"/>

A.3. \$50,000.01-\$100,000 THRESHOLD - Purchasing requirements for \$50,000.01 to \$100,000:	check
A.3.1. A written request was submitted to and approved by the State Purchasing Director prior to conducting acquisitions within this threshold. (74 O.S. §85.7.A.1.)	<input type="checkbox"/>
A.3.2. The purchase order was signed and approved by a designated individual in accordance with the signature authorization list maintained by the agency. (OAC 580:16-5-13.(b)). (OAC 580:16-7-17.(1) and OAC 580:16-7-15.(b))	<input type="checkbox"/>
A.3.3. The acquisition method used was appropriate. State use, statewide contract & OCI (if lowest and best bid) were checked before open market acquisition was made. (OAC 580:16-7-17.(1) and OAC 580:16-7-3.)	<input type="checkbox"/>
A.3.4. The agency prepared and documented the agency's specifications for the acquisition. The agency provided the specifications, terms and conditions for the acquisition to each supplier selected for notification. The invitation to bid or request for proposal, include evaluation criteria for the acquisition. (OAC 580:16-7-17.(3) and OAC 580:16-7-15.(b))	<input type="checkbox"/>

A.3. \$50,000.01-\$100,000 THRESHOLD - Purchasing requirements for \$50,000.01 to \$100,000:	check
A.3.5. The state agency solicited all registered suppliers in the appropriate commodity classification from the Supplier List along with any other suppliers identified by the state agency using solicitation forms prescribed by the DCAM Administrator. (OAC 580:16-7-17.(3))	<input type="checkbox"/>
A.3.6. Suppliers that have been suspended or debarred by the State Purchasing Director or the Federal government shall not be awarded a contract. (OAC 580:16-7-17.(1) and OAC 580:16-7-15.(c)(1))	<input type="checkbox"/>
A.3.7. The acquisition file contained written evaluation of criteria considered in selection of the supplier for the acquisition. (OAC 580:16-7-17.(1) and OAC 580:16-7-15.(c)(3))	<input type="checkbox"/>
A.3.8. Award was based on lowest and best or best value criteria. (OAC 580:16-7-17.(1) and 580:16-7-15.(c)(4))	<input type="checkbox"/>
A.3.9. Any competitive bid submitted to the State of Oklahoma or contract executed by the state for goods or services shall contain a certification (OMES-FORM-CP-004 , "Certification for Competitive Bid and Contract, Non-collusion Certification") stated in Section 85.22 of title 74. (74 O.S. 85.22, OAC 580:16-7-17.(1), and OAC 580:16-7-15.(c)(5)(A))	<input type="checkbox"/>
A.3.10. Verify the supplier has obtained a current sales tax permit. Verification of sales tax permit, copy of sales tax permit or exemption document was documented in the acquisition file. (74 O.S. § 85.5.O., OAC 580:16-7-17.(1) and OAC 580:16-7-15.(c)(5)(B))	<input type="checkbox"/>
A.3.11. Prior to the award of a contract, the acquiring state agency must verify, pursuant to applicable provisions of law, that the supplier is registered with the Secretary of State and franchise tax payment status pursuant to 68 O.S. §1203 and §1204. (OAC 580:16-7-17.(1) and OAC 580:16-7-15.(5)(E))	<input type="checkbox"/>
A.3.12. The state agency reciprocated the bidding preferences given by other states or nations to bidders domiciled in their jurisdictions for acquisitions pursuant to Central Purchasing Act. (74 O.S. § 85.17A.A)	<input type="checkbox"/>
A.3.13. The supplier is eligible to do business in the State of Oklahoma by confirming registration with the Secretary of State and franchise tax payment status pursuant to Sections 1203 and 1204 of Title 68 of the Oklahoma Statutes. The provisions of this subsection shall be applicable only if the contract amount is Twenty-five Thousand Dollars (\$25,000.00) or greater. (74 O.S. §85.5.N.)	<input type="checkbox"/>

A.4. ACQUISITION LIMITATION EXCEPTION	check
A.4.1. The agency has an internal CPO and approved internal purchasing procedures pursuant to the requirements of OAC 580:16-5-3 and OAC 580:16-5-7, in addition to the subject matter experts, legal and procurement staff required by law. (OAC 580:16-7-25.(a))	<input type="checkbox"/>
A.4.2. Prior to making an acquisition pursuant to OAC 580:16-7-25. , the state agency submitted in writing to the DCAM Administrator, a statement of the agency's intent to make an acquisition pursuant to 74 O.S. §85.5(T) and received certification by the DCAM Administrator that the proposed purchase does not conflict with consolidated statewide spend initiatives. (OAC 580:16-7-25.(b))	<input type="checkbox"/>
A.4.3. The agency complied with 74 O.S. §85.7, the rules of Oklahoma Administrative Code 580:16 and any other applicable state laws and rules. (OAC 580:16-7-25.(c))	<input type="checkbox"/>
A.4.4. The agency submitted a report in electronic format to the State Purchasing Director for the quarter, which lists all contracts issued pursuant to this section. The report shall be submitted by the 5th business day of each new quarter. (OAC 580:16-7-25.(d))	<input type="checkbox"/>

A.5. GREATER THAN AGENCIES APPROVED THRESHOLD OR ACQUISITION LIMIT & ANY PURCHASES SUBMITTED TO CENTRAL PURCHASING:	check
A.5.1. The state agency submitted a requisition and supplier's competitive bids or proposals to the State Purchasing Director. (74 O.S. § 85.7.A.1.) <i>(Note: All open market acquisitions above agency's approved threshold or acquisition limit shall be performed by Central Purchasing.)</i>	<input type="checkbox"/>
A.5.2. State agencies shall use forms for requisitions provided or approved by the State Purchasing Director. (OAC 580:16-7-23.(1))	<input type="checkbox"/>
A.5.3. Requisitions, sole source certifications and change order requests were authorized by a designated individual in accordance with the Authorized Signature Form, (OMES/Purchasing Form 001). (OAC 580:16-5-13.(b))	<input type="checkbox"/>
A.5.4. A service requisition justification for nonprofessional or professional services was signed by the CAO of the agency or the CAO of the requisitioning unit justifying the acquisition. (74 O.S. § 85.4.E.1)	<input type="checkbox"/>

B. ACQUISITION ASSOCIATED PROCESSES

B.0. CHANGE ORDERS - Change order requirements:	check
B.0.1. The State Purchasing Director approved the change order if it increased the total contract to an amount above the agency's authority limit. (OAC 580:16-9-3.(b))	<input type="checkbox"/>
B.0.2. Change order was authorized by a designated individual in accordance with the signature authorization list maintained by the agency. (OAC 580:16-5-13.(b))	<input type="checkbox"/>
B.0.3. Change order in a contract for component or phased deliveries does not exceed 10% of original purchase order or contract. (OAC 580-16-9-3.(a))	<input type="checkbox"/>
B.0.4. Change orders other than for non-component or phased deliveries contracts, do not exceed the scope of the original solicitation. (OAC 580:16-9-3.(a))	<input type="checkbox"/>

B.1. RATIFICATION OF AN UNAUTHORIZED COMMITMENT - Ratification requirements:	check
B.1.1. The state agency negotiated a proposal for the ratification of an unauthorized commitment with the supplier. (OAC 580:16-5-17.)	<input type="checkbox"/>
If the CAO approved the settlement agreement: (OAC 580:16-5-17.(1)(A)):	
B.1.2. The agency negotiated a proposal for a settlement agreement with the supplier. (OAC 580:16-5-17.(1)(A)(i))	<input type="checkbox"/>
B.1.3. The CAO signed the proposed settlement agreement. (OAC 580:16-5-17.(1)(A)(ii))	<input type="checkbox"/>
B.1.4. The CAO documented the facts and circumstances of the unauthorized commitment. (OAC 580:16-5-17.(1)(A)(iii))	<input type="checkbox"/>
B.1.5. The CAO submitted a copy of the settlement agreement and supporting documentation to the State Purchasing Director. (OAC 580:16-5-17.(1)(A)(iv))	<input type="checkbox"/>
If the CAO disapproved the settlement agreement: (OAC 580:16-5-17.(1)(B)):	
B.1.6. The agency retained documents from the supplier and state agency. (OAC 580:16-5-17.(1)(B))	<input type="checkbox"/>

B.2. GOVERNMENTAL AGREEMENTS - Acquisitions with governmental entities:	check
Acquisition from political division or subdivision, agency of the U.S. or another state agency does not evade competitive bidding requirements provisions of the Central Purchasing Act, rules of the Purchasing Division or provisions related to the State Use Committee. (OAC 580:16-7-3.(7))	<input type="checkbox"/>

C. SPECIFIC ACQUISITIONS – specific acquisitions must observe acquisitions threshold requirements stated in section A in addition to the specific requirements.

C.0. SERVICE CONTRACTS	check
SERVICE CONTRACT REQUIRMENTS	<input type="checkbox"/>
C.0.1. Payments for services were at a uniform rate throughout the duration of the contract OR had authorization from the State Purchasing Director for non-uniform payments. (74 O.S. § 85.41.G.1. & 2.)	<input type="checkbox"/>
C.0.2. The state agency did not pay travel expenses for the supplier over the amount included in the bid proposal. (74 O.S. § 85.40.)	<input type="checkbox"/>
C.0.3. The solicitation and contract included the required clauses stating compliance with 25 O.S. §1313 and participation in the Status Verification System. PIM 10-02 (Applicable to service contracts)	<input type="checkbox"/>
PROFESSIONAL SERVICE CONTRACTS - Professional services (Includes all Title 18 professional service contracts performed by the agency (PIM 09-01))	<input type="checkbox"/>
C.0.4. The vendor signed a sworn statement for the professional service contract only if the final product is a written report. (74 O.S. § 85.41.F.1.) <i>Note: Any state agency renewing a contract with a supplier shall not be subject to the provisions of paragraph 1 of this subsection. (74 O.S. § 85.41.F.2.)</i>	<input type="checkbox"/>
C.0.5. An original performance evaluation was completed and retained. (74 O.S. § 85.41.B.)	<input type="checkbox"/>
C.0.6. An original performance evaluation included the quality of service or work product of the supplier. (74 O.S. § 85.41.B.)	<input type="checkbox"/>
C.0.7. A copy of the original performance evaluation was sent to State Purchasing Director IF there were deficiencies in supplier’s work or product noted. (74 O.S. § 85.41.B.)	<input type="checkbox"/>
C.0.8. The agency monitored/audited the professional service contract. (74 O.S. § 85.41.D.)	<input type="checkbox"/>
C.0.9. An audit clause was included in the contract which provides that all items of the supplier that relate to the professional services are subject to examination by the state agency and the State Auditor and Inspector. (74 O.S. § 85.41.E)	<input type="checkbox"/>
C.0.10. Verify employee(s) that has terminated employment with the Agency within a year’s time has not been contracted for a sole source or professional service contract. (74 O.S. § 85.42.A.)	<input type="checkbox"/>
C.0.11. Each contract entered into by any person or firm with the State of Oklahoma Shall include a statement certifying that no person who has been involved in any manner in the development of that contract while employed by the State of Oklahoma shall be employed to fulfill any of the services provided for under said contract. 74 O.S. § 85.42.B. (Applicable to sole source and professional service contracts.)	<input type="checkbox"/>
C.0.12. In accordance with Title 74 O.S. §85.7.A.3.c., state agencies shall notify the State Purchasing Director, by submission of form OMES-FORM-CP-091 , Report of Exemptions from Competitive Bidding, within 15 days of completion of an acquisition of professional services under this policy. PIM 09-01 (74 O.S. §85.7.A.3.c.)	<input type="checkbox"/>

C.1. SOLE SOURCE/ SOLE BRAND - Sole Source/ Sole Brand purchases:	check
C.1.1. A sole source or sole brand acquisition certification was signed by the CAO. (74 O.S. § 85.45j.A.2.)	<input type="checkbox"/>
C.1.2. Sole source certifications were authorized by a designated individual in accordance with the signature authorization list maintained by the agency. (OAC 580:16-5-13.(b))	<input type="checkbox"/>
C.1.3. The reason such a purchase is necessary was documented by the CPO if within the agency’s authority limit or by the State Purchasing Director if it exceeds the agency’s authority limit. (74 O.S. § 85.45j.A.6. & 7.)	<input type="checkbox"/>
C.1.4. Each contract entered into by any person or firm with the State of Oklahoma shall include a statement certifying that no person who has been involved in any manner in the development of that contract while employed by the State of Oklahoma shall be employed to fulfill any of the services provided for under said contract. 74 O.S. § 85.42.B. (Applicable to sole source and professional service contracts.)	<input type="checkbox"/>

C.1. SOLE SOURCE/ SOLE BRAND - Sole Source/ Sole Brand purchases:	check
C.1.5. Verify employee(s) that has terminated employment with the Agency within a year's time has not been contracted for a sole source or professional service contract. (74 O.S. § 85.42.)	<input type="checkbox"/>
C.1.6. Sole source / sole brand reporting – The sole source / sole brand acquisitions must be identified by populating the sole source / sole brand field in PeopleSoft. (PIM 99-03) (74 O.S. § 85.43.C.)	<input type="checkbox"/>

C.2. EMERGENCY ACQUISITIONS - Emergency acquisitions purchases (Emergency threshold for agencies is \$100,000 (74 O.S. 85.7.A.4)):	check
C.2.1. The agency submitted a requisition to the State Purchasing Director within five days following the acquisition. (74 O.S. § 85.7.A.4.)	<input type="checkbox"/>
C.2.2. The agency submitted a statement of emergency with the requisition. (74 O.S. § 85.7.A.4.)	<input type="checkbox"/>

C.3. AIR TRAVEL EXCEPTIONS	check
C.3.1. All claims made for reimbursement contains a statement indicating the reason for exemption. (74.O.S. § 85.45k.C.)	<input type="checkbox"/>
C.3.2. Airline ticket purchases exceptions. The state agency shall determine when an exception to airline ticket purchase shall apply. The state agency shall retain documents the state agency uses in exception determination as required by internal purchasing procedures established pursuant to 580:16-5-7. (A) If the state agency can acquire air travel at less cost than the contract travel agency, the state agency may use this exception. (B) If air travel originates outside the state and it is impractical for the state agency, the state agency may use this exception. (C) If air travel is due to an emergency and time does not permit use of the contract travel agency, the state agency may use this exception. (D) If air travel is part of a package arrangement by an organization that schedules a meeting or conference, the state agency may use this exception. (74.O.S. § 85.45k.B. and OAC 580:16-7-46.(4).	<input type="checkbox"/>

C.4. FIXED-RATE CONTRACTS - Fixed-rate contracts purchasing:	check
C.4.1. The rate was approved as a fixed rate pursuant to (74 O.S. § 85.7.A.11 and OAC 580-16-7-40.)	<input type="checkbox"/>
C.4.2. The rate paid by the agency agreed to the approved fixed-rate. (74 O.S. § 85.7.A.11.d.)	<input type="checkbox"/>
C.4.3. The contracted service agreed to the approved qualified services. (74 O.S. § 85.7.A.11.d.)	<input type="checkbox"/>

D. OTHER REQUIREMENTS

D.0. SPLIT PURCHASING	check
D.0.1. State agencies shall not make split purchases for the purposes of evading their approved dollar threshold for competitive bids. Split purchasing for the purpose of evading competitive bidding requirements is a felony. [Reference 74 O.S. §85.7(A)(2)(a)] (OAC 580:16-7-7.) "Split purchase" means dividing a known quantity or failing to consolidate a known quantity of an acquisition for the purpose of evading a competitive bidding. (74 O.S. § 85.2.35.)	<input type="checkbox"/>

D.1. AGENCY SAVINGS REPORTING	check
<p>On October 1, 2010 and October 1 of each year thereafter, the chief administrative officer of each state agency shall submit an electronic report to the State Purchasing Director listing savings realized by the agency in the previous fiscal year through the application of best spend practices. The State Purchasing Director will define the report content required to collect savings data from state agencies, which will include but may not be limited to:</p> <p>(1) total spend by commodity; and, (2) participation in mandatory statewide contracts. (OAC 580:16-5-15.)</p>	<input type="checkbox"/>
D.2. INTERNAL PURCHASING PROCEDURES	check
<p>Each state agency shall develop internal purchasing procedures for acquisitions by the state agency. Procedures shall, at a minimum, include provisions for the state agency's needs assessment, funding, routing, review, audits, monitoring, and evaluations. (74 O.S. § 85.39.A.1.)</p>	<input type="checkbox"/>
D.3. EXEMPT ENTITIES / EXEMPT ACQUISITIONS	check
<p>Reference 74 O.S. § 85.3A for a list of exempt entities and reference 74 O.S. § 85.12 for a list of acquisitions that are not subject to provisions of the Oklahoma Central Purchasing Act except for Section 85.39.</p>	-

This guide is NOT RULES or REGULATIONS. This guide has been prepared by the Office of Management and Enterprise Services, Audit and Internal Investigations Unit to assist agencies in complying with Central Purchasing Rules and the Oklahoma Central Purchasing Act.

Agencies should be advised that the use of this guide will not relieve the Agency from any responsibility to fully comply with all provisions of the law and regulations.