

FAQ's – Practical Questions and Answers

1. How to Participate with the MSBA's Collaborative Procurement Program (CPP)

Q. I am part of a committee at my school to choose furniture and equipment to outfit our new school. After reviewing furniture samples from the manufacturers that are participating with the MSBA's Collaborative Procurement Program (C.P.P.), we know exactly which items that we want to purchase for our classrooms, cafeteria, and administrator furniture. What is the next step in the C.P.P. process to receive pricing information?

A. Participation is simple and you have some options:

You or your architect / FF&E consultant can request pricing information for classroom, cafeteria, and administrator furniture products directly from the MHEC participating manufacturer, through the authorized supplier; or by contacting the MHEC staff (Rika Monzillo) for assistance placing the order. Either way, the manufacturer / supplier will need pertinent information including, product line, finishes information and quantity. Include a request that the supplier price the cost of delivery and installation of the items and include any other terms that you deem important.

If pricing meets your expectations and fits your budget, it is ok to issue a P. O. If you are seeking pricing from more than one supplier, the district can choose the best value based on the responses. It is important to copy Rika Monzillo at MHEC and Barbara Hansberry at the MSBA on your pricing request. This way we can verify that the pricing is accurate as well as track the C.P.P. participation.

2. Generating Competition When Buying from Cooperative Contracts

Q. Is there a method to reap competition from manufacturers / suppliers for the items that we have decided to purchase?

A. Yes. In most cases, there is more than one supplier of a product on a cooperative contract. For example, when procuring school furniture, a school district can send the authorized suppliers/dealers on the cooperative contract information (brand, finishes and quantity) for the preferred furniture product. Remember to include a request that the supplier price the cost of delivery and installation of the items and any other terms that you deem important. The suppliers will provide you with price quotes. The district can choose the best value based on the responses.

3. Evaluation of “Equals” in a Full-Blown Chapter 30B Process Must Be an Apples to Apples Comparison

Recommended Practice for Evaluating “Equals” in a Full-Blown Chapter 30B Bid

Q. My town is considering using a Chapter 30B advertised process to procure student chairs. The school department wants to use a named brand in the specification and include “or equal” language. This way, products proposed as equals to the brand named can be considered. Is this a good idea? How do we evaluate bids that propose a different brand?

A. Besides the work of generating a specification and the cost of advertising the procurement, there is a lot that is involved in the evaluation of proposed brands that are offered as equals.

If a brand is named in a specification, it becomes the standard of quality that the district will want any other brands to meet. The materials that are used must be equal, the warranty must be equal and any other attendant soft costs must be equal. All brands of school chairs that are proposed must be compared with the brand specified. This is an apples-to-apples comparison.

So, in the procurement documents, the “or equal” phrase should be fleshed-out to include a description of the supply itself (materials and measurements) as well as any warranties (that cover replacement costs and delivery of the replacement within a specified time [soft costs]).

Any proposed alternate brands (that is, bids with a different brand specified,) should be compared with the description of the brand specified (materials and measurements) and, include a comparison of all soft costs of the brand of chair named in the specification (warranties and any other terms).

A “best” price” determination should include all hard and soft costs related to the chair specified with the one proposed. That is, the evaluation consists of the cost of the chair and the attendant soft costs such as, delivery, warranties, assembling, waste removal, etc. The evaluation relates to the entire specification for the name brand product.

If the “or equal” chair proposed meets every component of comparison except for the actual “brand name,” and costs less, an award based on the lower price would meet the letter and spirit of the law.

4. Procurement Department Responsibility When Working with a Consultant

Q. My school district's budget for our new school's furniture and equipment consists of a contribution from the MSBA and money from the school district's budget. The district's architect is charged with outfitting the new school. I was provided a lump sum purchase order for the furniture and asked to sign off. Do I need to know the cost of each individual item purchased? As the school business manager, what are my responsibilities?

A. When you are a steward of public money you must perform your duty using sound business practices. And, as you know, the public has a right to know (and may inquire through a public records request) the cost of each product purchased. The architect's job is to recommend products to your district to outfit your school within a certain budget amount. They may direct invoices to the municipality. But best practices for expending public money dictate that the procurement officer know the cost of each item (standard list price, discount applied (if any) and final product cost) and after reviewing this information and ensuring that the method used to procure the items was in accordance with the law, only then should a procurement official sign off that the purchase followed proper procedures, and that the invoice is sufficient for payment.