

# VENDOR CENTER INTRODUCTION

This introduction is intended to acquaint vendors with the Louisiana Department of Transportation and Development's (DOTD) procurement process. It will provide you with the DOTD Central Procurement Staff, rules and regulations and other areas of interest.

## **Authority and Duties of the Commissioner of Administration – R.S. 39:1561**

The Commissioner of Administration shall have the authority and responsibility to promulgate regulations governing the procurement, management, and control of any and all supplies, services, major repairs, and personal, professional, consulting, or social services required to be procured by the state.

The Commissioner or his designee shall consider and decide matters of policy and have the power to audit and review the implementation of the procurement regulations and requirements.

## **Authority of the State Chief Procurement Officer – R.S. 39:1564**

The State Chief Procurement Officer shall serve as the Central Procurement Officer for the state. They shall have the power to adopt rules and may adopt rules governing the internal procedures of the central procurement agency.

The State Chief Procurement Officer, unless otherwise specifically provided by statute, shall, within the limitations of regulations promulgated by the commissioner:

- Procure or supervise the procurement of all supplies, services, major repairs, and personal, professional, consulting, and social services needed by the state.
- Exercise supervision over all inventories of warehoused supplies belonging to the state.
- Establish and maintain programs for the inspections, testing and acceptance of supplies, services, and major repairs.
- Provide for contractual forms and specifications to be used in the confection of all contracts provided for in applicable statutes.

## **Delegation of Authority by the State Chief Procurement Officer – R.S. 39:1566**

The State Chief Procurement Officer may delegate authority to any governmental body as the State Chief Procurement Officer may deem appropriate within the limitations of state law and state procurement regulations.

## **Statutes Governing Procurement**

Purchasing operates under the authority of numerous Revised Statutes, Executive Orders, and Administrative Codes pertaining to purchasing procedures. The most important of these are listed below:

- R.S. 39:196 – 200 “Information Technology Procurement”
- R.S. 39:1550 – 1736 “Louisiana Procurement Code”
- R.S. 39:1751 – 1755 “Telecommunications Procurement”
- R.S. 42:1101 – 1170 “Louisiana Code of Governmental Ethics”
- R.S. 43 “Printing”
- R.S. 48:205 – 208 “Exempt Commodity Purchasing Procedures, Emergency Purchase Procedures, etc.”
- Louisiana Administrative Code (Title 34) “DOA Rules and Regulations”
- Louisiana Administrative Code (Title 70: Part XXIII) “DOTD Rules and Regulations”
- Executive Order No. JBE 2017 – 18 “Small Purchase Procedures”
- DOA PPM 51 “Contracts for Maintenance, Equipment and Services”

## **Exemptions – R.S. 39:1572**

Procurements by the Department of Transportation and Development for materials, services, and supplies that will become a component part of any road, highway, bridge, or appurtenance thereto shall not be required to be conducted through the central purchasing agency and shall not be required to follow the procurement regulations of the Commissioner or the Office of State Procurement, but shall nevertheless be subject to the requirements of Chapter 39 and such regulations as may be promulgated by the head of the Department of Transportation and Development.

Exemptions from the central procurement agency, unless otherwise provided in R.S. 39:1554, shall not apply to professional services, personal services, consulting services, social services, information technology, or vehicle acquisition.

The Department of Transportation and Development may use the central purchasing facilities whenever the best interests of the Department and the state may be served.

## **State Procurement Regulations – R.S. 39:1581**

Regulations promulgated by the commissioner in accordance with the Administrative Procedure Act shall govern all procurements by all governmental bodies except for regulations promulgated by the secretary of the Department of Transportation and Development governing procurement by that department, for procurement of materials and supplies that will become a component part of any road, highway, bridge, or appurtenance thereto.

Secretaries of exempted departments under this statute shall promulgate regulations for the purposes set forth in accordance with the Administrative Procedure Act. Such regulations shall not be inconsistent with the provisions of Chapter 39.

The secretary shall not delegate his power to promulgate regulations. The Commissioner may delegate his power to promulgate regulations to the State Chief Procurement Officer.

## **Authority of the DOTD Central Procurement Director – R.S. 48:205**

The DOTD Central Procurement Director serves as the Chief Purchasing Agent for the Department of Transportation and Development.

## **Professional, Personal, Consulting and Social Services**

The DOTD Central Procurement Office is responsible for the procurement of professional, personal, consulting and social services subject to Title 39.

## **DOTD Regulations**

The Department of Transportation and Development is also governed by the Secretary's Policy and Procedure Memoranda and applicable Engineering Directives and Standards regarding purchasing procedures as listed below:

- PPM No. 42 – Acquisition of All Related Computer and Information Technologies (IT) – including Hardware, Software, and Services
- PPM No. 54 – Wireless Communications Policy
- EDSM V.4.1.2 – Use of Proprietary or Sole Source Products on Construction and Maintenance Projects

## **Exclusions**

The DOTD Central Procurement Office is not responsible for purchases associated with the Letter Bid Process.