



STATE OF MISSISSIPPI  
GOVERNOR PHIL BRYANT

DEPARTMENT OF FINANCE AND ADMINISTRATION

KEVIN J. UPCHURCH  
EXECUTIVE DIRECTOR

MEMORANDUM

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**To:** Monica L. Ritchie, Chief Procurement Officer  
Department of Finance and Administration (DFA)  
Office of Purchasing, Travel, and Fleet Management (OPTFM)

Glenn R. Kornbrek, AIA, Director  
DFA Bureau of Building, Grounds and Real Property Management (BOB)

**From:** Kevin J. Upchurch, Chairman *KJU*  
Public Procurement Review Board

**Date:** December 18, 2014

**Re:** Sole-Source Procurement Regulations

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At a Special Meeting on December 18, 2014, the PPRB suspended the application of all regulations regarding sole-source procurement in the *Mississippi Procurement Manual* and *Bureau of Building Procedure Manual*. Effective immediately, all agency requests for sole-source procurement or specification which require approval of the DFA Office of Purchasing or DFA Bureau of Building must now be submitted to the DFA Executive Director or his designee for further review and evaluation. In order to assist the DFA Executive Director or his designee with this review, agencies are directed to provide any and all pertinent information regarding the request; including, but not limited to:

1. A written justification, on agency letterhead, **signed by the agency head**, certifying that the commodity is a noncompetitive item only available from one source.
2. Supporting documentation evidencing the justification provided by the Vendor or gathered during research by the purchasing agency.
3. A history or narrative of the agency's use of the particular commodity, including whether it was first procured as a noncompetitive single source.

The DFA Executive Director or his designee will review the agency's request as expeditiously as possible. OPTFM and the BOB are directed to ensure compliance with this Memorandum and to prepare agency requests with all supporting documentation for the review of the DFA Executive Director or his designee.

Please advise agencies that when they are in doubt as to whether to submit a sole-source procurement request or where the justification is deemed insufficient by the DFA Executive Director, the agency is directed to seek quotes or advertise for the item in accordance with Miss. Code Ann. § 31-7-13. **Any violation of the laws governing public procurement subjects the agency head to criminal and civil penalties in accordance with Miss Code Ann. §§ 31-7-55 and 31-7-57.**