



MASTER CONTRACT FOR ENVIRONMENTAL SERVICES TIER II SOLICITATION PROCEDURE

Title: Master Contract for Environmental Services Tier II Solicitation Procedure
Short Title: Tier II Solicitation Procedure
Procedure Owner: State Procurement Services Division

Purpose

This procedure defines the steps necessary for an Agency to engage a pre-qualified Contractor under the Master Contract for Environmental Services.

Definitions

Master Contract – Master Contract for Environmental Services, Term Contract SPB19-0156T.

OBPP – Office of Budget and Program Planning, Governor’s Office.

SPSD – State Procurement Services Division, Department of Administration. **Statement of Work Task Order (SOWTO)** – A narrative description of services and deliverables to be supplied under contract.

Procurement Method

1. Per the Tier II Environmental Services Checklist, SPSP reviews agency Tier II Solicitation materials. SPSP verifies OBPP approval and Tier II exception (if applicable).
2. If the Master Contract is the most appropriate procurement method, proceed to Step IV: Tier II Solicitation Procedure. Otherwise, SPSP will work with the agency to obtain the needed services using another procurement method.

Tier II Procedure

1. Agency prepares all Tier II Solicitation materials, which include:
 - a. Requisition Form, OPPB Approval (if required).
 - b. Cover Sheet & Proposal Instructions. The agency will provide brief introductory project information and requirements, such as due dates, delivery medium, and location.
 - c. Prevailing Wage must be included if the project’s total contract value is above \$25,000.
 - d. SOWTO

The SOWTO must be adequately developed. It is based on the roles and responsibilities expected of the contractor (deliverables), the timelines, acceptance criteria, and payment terms. SOWTO template is available from:

[SOWTO Template](#)

Some sections of the SOWTO may only be completed after posting the Tier II Solicitation (such as Compensation and Payment and Contractor Staff.)



Note: If an agency needs help developing a complete SOWTO, one option available is to hire a contractor. An agency may select a contractor without competition if the total contract value to establish the SOWTO is less than \$10,000. An agency must utilize a limited solicitation for a contract with a total contract value of \$10,000 or more and less than \$100,000. A limited solicitation requires that the agency seek bids from a minimum of three contractors.

If a Contractor is engaged to assist with the SOWTO, that Contractor will typically **not** be allowed to submit a proposal for that SOWTO.

e. SOWTO & Evaluation Criteria

The ordering agency will detail the information they require from the proposing Contractors using the SOWTO. This information will be used to evaluate the proposals received. Additionally, the agency develops evaluation criteria and scoring based on their needs as expressed in the SOWTO. The weighting factors are included in the Tier II Solicitation.

The agency prepares event solicitation via eMACS. SPSD will review the event solicitation per the checklist. SPSD will coordinate any necessary changes or additional materials with the agency.

2. The requesting agency releases the Tier II Solicitation as appropriate, via eMACS for a minimum of fifteen business days. Eligible contractors submit proposals according to the Proposal Instructions. The agency must schedule the participation of the Evaluation Committee - to allow for timely scoring/evaluation of the proposals. Evaluation Committee members must complete a 'non-conflict of interest' form provided by SPSD.
3. The requesting agency will develop an Evaluation Matrix for evaluation.
4. Agency must organize the evaluation meeting (set date, time, and location).
5. Agency must upload the completed Evaluation Matrix, Evaluation Summary, and award recommendation in eMACS under Internal Notes. Before awarding a contract, the department will provide notice of intent to award a contract and allow seven days for written public comment regarding the proposed award. Before releasing the proposals and other information received from offerors, the Contracts Officer will evaluate whether public disclosure must be limited as required by 18-4-303 and 18-4-304 (8). The Notice of Intent to Award (NOIA) is uploaded to eMACS under Award Notifications – Public Site Award Attachments and published to the public bids site.
6. All award recommendations must comply with Master Contract terms and conditions. SPSD will complete the workflow for Awarded status in eMACS. The agency then notifies all offerors of the contract award. Successful Contractor accepts the award. Upon acceptance, the agency to proceed with final negotiations with the contractor.
7. Agency finalizes project plans, i.e., timelines, deliverables, etc., with the successful contractor and completes the SOW or Position Description (for staff augmentations). The agency will route for signatures.
8. Contractor completes work.



Exceptions and Changes

Exceptions

The Agency Procurement Officer of the ordering agency may request an exception to the Tier II Procedure based on the following:

1. Sole Source Justification per [MCA 18-4-306](#)
 - a. Definition: there is only one source for the supply or service item
 - b. Justification must include:
 - i. Why this is the only contractor that can perform the needed services

For both exception processes, the agency must adhere to the following:

- If the total project cost is within the agency's delegated authority granted by the State Procurement Services Division (SPSD), the agency must complete an internal justification. This is either the "[Sole Source](#)" [Procurement Justification Form](#) or a memo describing the Business Need Justification to the agency procurement officer. The procurement officer must approve the request in writing and must maintain the request per the records retention requirements.
- If the total project cost exceeds the agency's delegated authority granted by SPSD, the agency must submit the completed Sole Source Justification form describing the justification to the State Procurement Bureau. This must be submitted electronically via the eMACS eRequisition Form. A response in memo format will be provided to each exception request.