**EXPENDITURE REGISTRATION SYSTEM (ERS) REQUEST WORKSHEET**

**TO:** Office of Administration, Division of Purchasing

ATTN: Stacia Dawson, Assistant Director

Room 630, Truman Building, P.O. Box 809

 Jefferson City, MO 65102

**FROM:**       (Department Name)

       (Department Contact Name)

       (Department Address)

**RE:** Expenditure Registration System Request (specify below whether continuation or new request)

[ ] Continuation of ERS      **or** [ ] Request for New ERS

**ERS TITLE:**

**DATE:**

DESCRIPTION: For each ERS being requested, the Department should identify (1) the current ERS number, if applicable, (2) the description of the product/service area for which the ERS is being requested, and (3) the period for which the ERS is being requested (e.g. a three-year period, July 1, 20XX through June 30, 20XX). Departments may request a maximum three-year period for an ERS request; however, should the Department’s authority provided under statute, regulation, etc. restrict its authority for making payments to a shorter time period, the Department should identify the period being requested.

JUSTIFICATION: The Department should identify and attach a copy of the statute, regulation, etc. that mandates the Department to make payments for specified expenditures rather than Purchasing handling as a normal procurement under chapter 34, RSMo. The Department should also identify the approximate number of annual payments required for each ERS being requested.

UTILIZATION: The Department should identify what total dollars were expended under each ERS for the prior fiscal year and for the current fiscal year to date.

COMPLIANCE: The Department should confirm whether it followed ERS procedures, including the requirement for soliciting competitive bids and advertisement requirements, when it has previously been given ERS authority.

**REMINDERS:**

1) **Sections 285.525 – 285.550, RSMo,:** Section 285.530, RSMo, pertains, in part, to all state contracts for services over $5,000. It does not apply to solicitations for commodities only or to solicitations that include services in which the resulting contract will have no cost to the state (even though there may be “value” to the contractor). If a solicitation is for services and commodities, section 285.530, RSMo, applies if the services portion of the solicitation is over $5,000. Section 285.530, RSMo, may not pertain to some purchases that will be paid using exempt object codes. It is advised that each agency speak with its General Counsel if it has any questions as to the applicability of section 285.530, RSMo. Any ERS procurement that includes services over $5,000 must require the potential contractor to certify their current business status by completing Box A, Box B, or Box C of the BUSINESS ENTITY CERTIFICATION, ENROLLMENT DOCUMENTATION, AND AFFIDAVIT OF WORK AUTHORIZATION EXHIBIT. Reference Sections 285.525 to 285.550, RSMo, Guidelines located in Appendix E of the Procurement Manual located at: <http://oapurch.state.mo.us/procurementsources.shtm>.

NOTE: Section 285.530, RSMo, does not apply to procurements in which an agency contracts with a Missouri state agency or federal governmental entity.  Section 285.530, RSMo, does pertain to procurements in which an agency contracts with a Missouri school, a Missouri university, an out of state agency, an out of state school, an out of state university, all political subdivisions, an instate vendor, or an out of state vendor.

2) **Section 34.040.7, RSMo,:** Unless payment would fall under an exempt object code, verify if the vendor is in compliance with section 34.040.7, RSMo.

NOTE: Agencies/universities/colleges are not required to verify if Missouri state agencies and federal governmental entities are compliant with section 34.040.7, RSMo. Agencies/universities/colleges are required to verify if the following entities are compliant with section 34.040.7, RSMo,: Missouri schools, Missouri universities, out of state agencies, out of state schools, out of state universities, all political subdivisions, instate vendors, out of state vendors, and foreign vendors.

3) **Federal Funds:** If ERS procurement will include federal funds verify against the System for Award Management (SAM) ([https://www.sam.gov](https://www.sam.gov/portal/public/SAM/)), provided by the General Services Administration (GSA), to ensure the vendor is not on the list of individuals, entities, and contractors excluded from Federal procurement and sales programs, non-procurement programs and financial and non-financial benefits. If the vendor is found on the list, the ERS procurement cannot be processed.

4) **Executive Order 04-09:** If ERS procurement is for services, no award of a contract shall be made to a vendor who contemplates performing work pursuant to the contract at a site outside the United States, unless one of the conditions of Executive 04-09 is met. Reference Executive 04-09 at <http://www.sos.mo.gov/library/reference/orders/2004/eo04_009.asp>.

### 5) Purchasing Suspension/Debarment List: Verify whether the vendor is found on the Purchasing Suspension/Debarment List located on the Purchasing Vendor Information tab at <http://oa.mo.gov/purchasing/vendor-information>. If the vendor is found on the list, an award cannot be made to the vendor. Documentation of the search results may include a screen print(s) of the Purchasing Suspension/Debarment List.