**PROGRAM GRANT AUTHORITY (PGA) 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:** Program Grant Authority Request (specify below whether continuation or new request)

Continuation of PGA      **or** Request for New PGA

**PGA TITLE:**

**DATE:**

DESCRIPTION: For each PGA being requested, the Department should identify (1) the current PGA number, if applicable, (2) the description of the product/service area for which the PGA is being requested, and (3) the period for which the PGA is being requested (e.g., July 1, 20XX through June 30, 20XX). Departments may request a maximum three-year period for a PGA 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 gives the Department specific granting authority. The Department should also explain whether the granting authority allows or precludes conducting a competitive procurement process(es) for the available grant funds.

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

COMPLIANCE: The Department should confirm whether it followed PGA procedures, including the requirement for soliciting competitive bids and advertisement requirements, when it has previously been given PGA 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 Department speak with its General Counsel if it has any questions as to the applicability of section 285.530, RSMo. Any PGA 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 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 PGA 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 PGA procurement cannot be processed.

4) **Executive Order 04-09:** If PGA 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) **Secretary of State Business Registration**: Verify whether the vendor is registered with the Secretary of State at <https://bsd.sos.mo.gov/BusinessEntity/BESearch.aspx?SearchType=0>. If the vendor is registered with the Secretary of State, document the vendor’s registration by including a copy of the screen print(s) of the applicable Secretary of State search results screen in the Department’s procurement files.

If the vendor is not registered with the Secretary of State, contact the vendor using the Secretary of State Business Registration E-Mail provided in Appendix G of the Procurement Manual located at <http://oapurch.state.mo.us/procurementsources.shtm> or similar e-mail. If the vendor’s response to the e-mail states they are not required to register per a specific exemption stated in per [section 351.572, RSMo](http://www.moga.mo.gov/statutes/C300-399/3510000572.HTM), place the Secretary of State Business Registration E-mail and the vendor’s response in the Department’s procurement files. If the vendor’s response does not indicate that they are exempt from registering with the Secretary of State due to one of the specific exemptions contained in section 351.572, RSMo, an award cannot be made to the vendor. However, Departments are encouraged to consult with their Department legal counsel to confirm validity of registration exemptions. Document the vendor’s ineligibility for award and places the documentation along with the Secretary of State Business Registration E-Mail and the vendor’s response in the Department’s procurement files.

### 6) 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.