

STATE OF MARYLAND
DEPARTMENT OF PUBLIC SAFETY AND CORRECTIONAL SERVICES
DIVISION OF CORRECTION

 DIVISION OF CORRECTION DIRECTIVE	PROGRAM: PROCUREMENT
	DCD #: 65-1
	TITLE: Procurement Organization
	ISSUED: October 1, 1995
	APPROVED:  COMMISSIONER

I. References:

- A. State Finance and Procurement Article, ACM
- B. COMAR, Title 21
- C. Budget and Fiscal Planning Manual
- D. Agency Purchasing Manual of the Department of General Services
- E. Agency Payroll Procedures Manual of the Central Payroll Bureau

II. Applicable to: Headquarters, State Use Industries and all Institutions

III. Purpose: To establish the procurement organization within the Division of Correction.

IV. Definitions:

- A. Contract - An agreement entered into by the Division for the procurement of an item or service. Purchase orders are contracts within the context of the procurement regulations.
- B. Director of Procurement Services - The director of procurement services or designee for the Department of Public Safety and Correctional Services.
- C. Control Agency - The following are control agencies as they relate to procurement:
 - 1. Board of Public Works
 - 2. Comptroller
 - 3. Department of Budget and Fiscal Planning
 - 4. Department of General Services
 - 5. Treasurer

D. Managing Officer - The warden and the State Use Industries general manager.

E. Procurements - A solicitation for or purchase of an item or service.

V. Policy:

All procurements made by the Division shall conform to the laws in the State Finance and Procurement Article, ACM; the regulations in COMAR, Title 21; and the directives issued by control agencies, the Department of Public Safety and Correctional Services and the Office of the Commissioner.

VI. Procedure:

A. Agency Head

1. The Commissioner of Correction is the agency head for the Division.
2. The Commissioner may appoint other persons in the Division as designees. Such appointments shall specifically describe the authority and responsibility delegated.
3. The agency head shall perform duties for which he/she is responsible under the laws, regulations and directives pertinent to procurement activities.

B. Director of Procurement Services - The director shall perform the following functions:

1. Train all procurement officers;
2. Supervise the technical aspects of the procurement activities of the chief procurement officers;
3. Review and, if necessary, direct revisions to be made to solicitations and contracts;
4. Monitor and facilitate the approval process for all solicitations and contracts;
5. Represent the Division in all interagency procurement policy matters;
6. Develop and maintain all procurement forms issued by the Division;

7. Prepare solicitations and contracts as requested by the Commissioner or designee;
8. Monitor all procurement activities for compliance with all pertinent laws, regulations and directives;
9. Serve as the procurement officer for all protests and contract disputes;
10. Serve as the custodian of the original copy of all non-purchase order contract.

C. Managing Officer

1. The managing officer shall act as an agency head to the extent that such authority is delegated by the Commissioner.
2. The managing officer may designate other persons on his or her staff to perform agency head duties delegated to the managing officer by the Commissioner. Such designations shall specifically describe the authority and responsibilities and shall be effective if the designation is approved in writing by the Commissioner.
3. The managing officer shall appoint a chief procurement officer and an assistant chief procurement officer.

D. Chief Procurement Officer

1. The chief procurement officer for each facility shall be administratively supervised by the managing officer or designee, and the managing officer or designee shall establish the work priorities of the chief procurement officer. The director of procurement services shall direct the technical aspects of the chief procurement officer's procurement activities.
2. The chief procurement officer shall perform the following functions:
 - a. Prepare solicitations and contracts as directed by the managing officer or designee.
 - b. Coordinate the writing of specifications by other facility personnel.
 - c. Maintain the facility's copies of the consolidated procurement manual.
 - d. Conduct all pre-bid and pre-proposal conferences for solicitations issued by the managing officer.
 - e. Supervise the procurement activities of the assistant chief

procurement officer.

- f. Prepare procurement activity reports as required by the managing officer or designee and the director of procurement services.
- g. Represent the facility in all intra-Divisional procurement matters.
- h. Conduct the evaluation of bids, proposals and award contracts as directed by the director of procurement services.
- i. Interpret contract language and attempt to resolve contract disputes between contractors and the facility.

E. Assistant Chief Procurement Officer

The assistant chief procurement officer shall assist the chief procurement officer to the extent directed by the managing officer. The managing officer shall, at a minimum, allow the assistant chief procurement officer to obtain sufficient experience to be able to effectively conduct procurement activities in the chief procurement officer's absence.

F. All appointments and delegations as stipulated in this directive shall be made in writing with a copy to the director of procurement services.

G. No institutional directive is required.

VII. Attachments: None

VIII. Rescission: DCD 65-1, dated February 15, 1987

Distribution:

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