

Rule No.: 941 - 6101 – 53010

Agency: Mississippi Department of Transportation

Agency Effective Date: May 15, 2005

Agency Issued Date: March 8, 2005

Secretary of State Authority Date: May 15, 2005 Supercedes Rule:

Division: Public Transit

Rule Title: Procurement and Third Party Contract Management

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**The person to be contacted regarding the proposed rule is:** Facility and Records Management Director

**Name of person originating the proposed rule:** Charles Carr

**Name of supervisor or person who approved the proposed rule:** Charles Carr

**Purpose:**

Provide general guidance on procurement and third party contract management for subrecipient contractors.

**Summary:**

Describes the overall procurement and third party contract management requirements that are applicable for all public transportation subrecipient contractors.

**The full text of the proposed rule is:**

**All cites herein refer to the most current version of the cited document.**

For procurements, including third party contracting, in addition to applicable state purchasing laws and procedures, e.g. Procurement Manual prepared by the Department of Finance and Administration, the MDOT has adopted and passed down the provisions of the most recent version of FTA Circular 4220.1E, The FTA Best Practices Procurement Manual including revisions, as well as The Best Practices Manual and Circular 4220.1E (Both documents may be accessed at [www.fta.dot.gov](http://www.fta.dot.gov))

The most recent versions of the following project administration and management requirements are also passed down:

- U.S., 49 C.F.R. Part 18, entitled “Uniform Administrative Requirements for Grants and Cooperative Agreements to State and Local Governments”, as amended (referred to as the “Common Rule”)
- 49 C.F. R. Part 19, entitled “Uniform Administrative Requirements for Grants and Agreements with Institutions of Higher Education, Hospitals, and Other Non-Profit Organizations”, as amended.

(These documents are available at [www.dot.gov](http://www.dot.gov) or by contacting the MDOT’s Public Transit Division.)

For general contract management purposes, all FTA funded subrecipients must comply with the applicable provisions of these rules along with the most current versions of:

- FTA Circulars 9040.1E, “Nonurbanized Area Formula Program Guidance and Grant Application Instructions”;
- 9070.1E, “Elderly and Persons with Disabilities Program Guidance and Application Instructions”; and
- 5010.1C, “Grant Management Guidelines”

(These documents are available at [www.dot.gov](http://www.dot.gov) or by contacting the MDOT's Public Transit Division)

Unless an issue is specifically addressed by state law or other administrative procedures which provide guidance, all MDOT subrecipient contractors will also rely on the provisions of Chapter VIII, Parts A-E of the most current version of the State Management Plan For Federal Transit Administration Funded Transportation Programs for guidance when conducting procurements and managing third party contracts.

Unless so specified in writing, with the exception of vehicle purchases and/or refurbishing, all routine procurement and third-party contracting activities are the responsibility of the contractor. It is the policy of the MDOT that contractors use their own procurement system as long as it conforms to applicable Federal requirements, state purchasing laws and the Contract Agreement with the MDOT.