



801 S. Greathouse Dr., Atoka, OK 74525

TOPS COMPETITIVE PROCUREMENT PROCESS

The Oklahoma Purchasing System (“TOPS”) is a Cooperative Purchasing Program established under the Oklahoma Interlocal Cooperation Act, Title 74 O.S. § 1001, *et seq.* It is utilized by member schools, colleges, universities, cities, counties, and other government entities as authorized by each’s jurisdictional legal requirements. Atoka Public Schools, located in Atoka, Oklahoma, is the lead government agency for the cooperative. The Oklahoma Attorney General’s office approved TOPS as a valid interlocal cooperative agency on October 19, 2022 (AG# ICA-22-0024), and the Secretary of State duly filed the letter of approval on December 28, 2022. The primary procurement statute for the lead agency is the Oklahoma Public Competitive Bidding Act (“OPCBA”), Title 61 O.S. § 101, *et seq.*, although other state and federal statutes and regulations may apply as well.

TOPS PROCURES AND AWARDS ALL VENDOR CONTRACTS ACCORDING TO OKLAHOMA STATUTES AND OTHER APPLICABLE FEDERAL “EDGAR” REGULATIONS, 2 C.F.R. PART 200, AS INTERPRETED BY THE US DEPARTMENT OF EDUCATION.

All solicitations are drafted by TOPS, and notices are posted on the web at <https://tops.ionwave.net>. The solicitations are currently advertised locally in two consecutive editions, per Oklahoma law, in the Atoka County Times (Atoka, Oklahoma) and in The Journal Record (Oklahoma City, Oklahoma, an In-State Trade Publication). Please e-mail info@tops-usa.org to request the specific advertising performed for any TOPS Contract. The advertising affidavit or tear sheets, along with the corresponding proposal documents, may be accessed on the TOPS website from any vendor profile. To comply with transparency statutes, pricing and information declared confidential by proposers are available to all Members upon request, but TOPS does not post the information on its public website. Proposals are posted for a minimum of 21 days (most are posted for five or six weeks to provide ample opportunity for vendors to respond) and scored by TOPS in accordance with the OPCBA. State law requires TOPS to award contracts to the “lowest responsible bidder.” 61 O.S. § 103(A). To determine the lowest responsible bidder, TOPS considers the bidder’s experience, reputation, and financial stability, as well as other factors, in addition to the total sum of the amount bid. **PRICING** - All bid categories utilize the RS Means National Price Book of labor and materials. All bid responders are required to bid a coefficient (discount) off the price book. Some bid categories allow for the Xactimate price book. If a bidder submits both pricing options their score is an average of the two price books. (Explained in the bid specification)

Each solicitation lists the evaluation criteria and its corresponding point value. The awarded vendor must obtain the highest score as specified in the solicitation to be considered the Lowest Responsible Bidder. Solicitation scoring can be provided upon request. The proposals received are sealed until the opening date and time and the opening is open to anyone that desires to attend. Vendor agreement/contract awards are made when scoring is completed pursuant to a delegation of authority by the Atoka Public Schools Board of Directors and reported to the Board at regular scheduled monthly meetings held in compliance with the Oklahoma Open Meeting Act (Title 25 O.S. § 301, *et seq.*) found at <https://www.oscn.net/applications/oscn/DeliverDocument.asp?CiteID=73425>. The Board may rescind an award based on the termination for convenience included in all TOPS Vendor agreements. Vendor Contracts are awarded for a term of years and may be renewed for an additional term if specified in the solicitation. Vendor award compliance with Federal Regulations 2 CFR Part 200 for expenditure of certain Federal Grant Funds (EDGAR) are noted with the vendor award information provided by TOPS at the vendor’s page at www.tops-usa.org. For additional information please contact:

The TOPS Team at info@tops-usa.org or (800) 243-0256.

NOTE: IT IS ALWAYS THE TOPS MEMBER ENTITY’S RESPONSIBILITY TO REVIEW ANY TOPS CONTRACT AWARD FOR COMPLIANCE WITH THE TOPS MEMBER’S JURISDICTIONAL PROCUREMENT REQUIREMENTS.