

OVERVIEW

The City of Tupelo is a Municipal Corporation, organized and existing under the laws of the State of Mississippi. The Constitution of the State of Mississippi and statutes contained in Mississippi Code Annotated (1972 as amended) comprise the body of law governing procurement practices of all municipalities. Various state agencies promulgate regulations giving context, definition, authority and guidance of this constitutional and statutory body of law. The city has appended some of these publications in this policy. These publications give both specific requirements and best practices. *See* Document 4: Mississippi Procurement Policy; Document 5: Personal Services Contracts Rules and Regulations; Document 6: ITS Procurement Policy.

The City of Tupelo maintains a Mandatory Addendum to Contracts which establishes limits on the authority of the city relating to certain contractual provisions. *See* Document 7: Mandatory Addendum to City of Tupelo Contracts.

The City of Tupelo participates in federal and state programs directly as a recipient or sub-recipient of grant and loan funding. The Constitution of the United States, The United States Code (U.S.C.), Code of Federal Regulations (CFR) and promulgations of federal agencies supplement and sometimes supersede the above referenced body of state law.

The City of Tupelo complies with 2 CFR 200 and the United States Treasury Final Rule (1APR2022) for Coronavirus State and Local Fiscal Recovery Funds (SLFRF) codified at 31 CFR Part 35.

2 CFR Part 200 requires recipients and sub-recipients to draft and formally adopt written policies and procedures, consistent with State, local and tribal laws and regulations and the standards of 2 CFR 200, for the acquisition of property or services required under a Federal award or subaward.

[eCFR :: 2 CFR Part 200 -- Uniform Administrative Requirements, Cost Principles, and Audit Requirements for Federal Awards](#)

Although the following sections are contained in the link above, the City of Tupelo specifically cites its documented procurement procedures conform to the procurement standards identified in 200.318(a) through 200.327.

§ 200.318 General procurement standards.

§ 200.319 Competition.

§ 200.320 Methods of procurement to be followed.

§ 200.321 Contracting with small and minority businesses, women's business enterprises, and labor surplus area firms.

§ 200.322 Domestic preferences for procurements.

§ 200.323 Procurement of covered materials.

§ 200.324 Contract cost and price.

§ 200.325 Federal awarding agency or pass through review.

§ 200.326 Bonding requirements.

§ 200.327 Contract provisions.

The City of Tupelo has drafted an ARPA Mandatory Addendum to Contracts to ensure compliance with 2 CFR 200 and the United States Treasury Final Rule (1APR2022) for Coronavirus State and Local Fiscal Recovery Funds (SLFRF) codified at 31 CFR Part 35.

See Document 8: ARPA Mandatory Addendum to Contracts.

These provisions apply to all contracts for procurement unless otherwise exempted by guidance from the Mississippi Department of Environmental Quality and the Mississippi Municipality and County Water Infrastructure (MCWI) Grant Program. *See Document 9: Excerpts of MDEQ MWCI FAQs.*

The City of Tupelo anticipates that most procurements will be made using competitive bidding. Architect and Engineering (A/E) professional services were procured pursuant to CFR §200.320 (b) (2) (iv) proposals.

The City of Tupelo is an equal opportunity employer. Minority and disadvantaged business enterprises will be afforded full opportunity to submit responses to procurement solicitations and will not be discriminated against on any grounds. CFR §200.321. *See Document 3: Minority Participation Policy.*

This policy manual may be supplemented.