

KENTUCKY'S REVISED FAP MANUAL

**A HIGH-LEVEL GUIDE TO THE MAJOR
PROCUREMENT CHANGES**

2026 FAP Revision

First comprehensive overhaul in approximately 20 years

Reorganized for easier navigation and consistent interpretation

New policies address recurring procurement and contract-management issues

Today's purpose: identify the changes that deserve your attention first

How the manual is now organized

New policies that apply across procurements

Major changes to common procurement processes

Post-award and payment responsibilities

Where to focus your review

Today = Procurement Focus

Other policies also revised, outside today's scope

Today's Roadmap

FAP Manual Structure

- Definitions (new section)
- Procurement and contracts
- Construction and construction-related procurement
- Real property
- Surplus property
- Competitive bidding exceptions
- Internal policies

Definitions now consolidated in
FAP 110-01-00

Words defined by statute or
regulation link to that authority

Defined terms capitalized
throughout manual

Definitions with only policy-
specific meaning may remain in
the applicable FAP only

Newly-Defined Terms:

Business Expertise Agency — The agency responsible for reviewing and approving particular SPR1 requests.

Commonwealth Procurement Law — Collectively includes KRS Chapter 45A, Title 200 KAR, the FAPs, and similar procurement authority.

Consensus Scoring — An evaluation method in which the committee develops a collective score for each Proposal.

EProcurement System — The Commonwealth's systems and public-facing applications used to solicit, evaluate, award, and administer procurements.

Fictitious Vendor — A person or group falsely claiming to be a legitimate vendor or misrepresenting its contractual relationship with a governmental entity.

Strategic Procurement Request (SPR1) — The form used to request review and approval for strategic procurements identified in FAP 111-07-00.

Undisputed Amount — A valid and timely payment request that the owing entity has reviewed and confirmed is due.

Definitions

Revision Themes

- **Electronic processing is the default** [FAP 110-10-00(1)(c)-(d); FAP 111-35-00(1)-(3), (6), (9), and (11); FAP 111-38-00(1) and (10); FAP 111-43-00(1); FAP 111-57-00(4)-(5)]
- **Prior approval is more clearly assigned** [FAP 111-07-00(1)-(6) and Table 1; FAP 111-38-00(10)(e); see also FAP 111-12-00, FAP 111-15-00, FAP 111-18-00, and FAP 111-20-00]
- **Training and certification accompany delegated authority** [FAP 111-06-00(1)-(8); FAP 111-55-00(1)(a); see also FAP 111-43-00(1)]
- **Written documentation supports decisions and auditability** [FAP 110-12-00(2)-(3); FAP 111-35-00(11), (14), and (15); FAP 111-55-00(2)-(3), (5), and (7); FAP 111-57-00(1), (4), and (5)]

Prohibited Language Rules Address Recurring Issues

Vendor terms cannot require the Commonwealth to:

- Accept unauthorized governing law or venue
- Displace Commonwealth Procurement Law
- Permit unilateral modification or automatic renewal
- Surrender termination or disclosure rights
- Accept unauthorized taxes, penalties, indemnity, or liability provisions

Confidentiality and Ethics Framework

New FAP 110-12-00:

- Identifies confidential Bid and Proposal information
- Requires disclosure of evaluator conflicts
- Centralizes Offeror communications through the Purchasing Officer
- Establishes rules for procurement notes and records
- Clarifies when restrictions begin and end

SPR1 Process Clarified

New FAP 111-07-00 - SPR1 May be required for:

- Noncompetitive procurement exceptions
- Procurements with enterprise or strategic impact
- Technology-related goods and services
- Certain professional-service requests
- Other categories assigned to a Business Expertise Agency

Delegated Small Purchases with Clearer Controls

Revised FAP 111-55-00:

- Default agency authority: \$1,000
- Higher authority depends upon delegation
- Required quotes are presented in a consolidated table
- Purchasing staff must complete corresponding KPI training
- Purchase splitting remains prohibited
- Award and quote documentation must be retained

Competitive sealed bidding

EProcurement is the default

Required submission elements are clearer [FAP 110-10-00(1)]

Award determinations and preferences must be documented [FAP 111-35-00 (15)]

Competitive negotiations and PSCs

Preconditions for use are clarified [FAP 111-57-00(1)-(3)]

Evaluation committee duties are more detailed [FAP 111-57-00(5)]

New Confidentiality and conflict rules apply [FAP 110-12-00]

Contract-manager and KPI requirements are emphasized [111-43-00(1); FAP 111-06-00]

Clearer Solicitation Process Requirements

Procurement responsibility continues after award

Revised Manual Strengthens the Post-award Processes:

- Contract modifications and assignments [FAP 111-11-00]
- Contract-manager responsibilities [FAP 111-51-00]
- Contractor complaints and possible termination [FAP 111-42-00; FAP 111-51-00]
- Invoice review and prompt payment [FAP 111-45-00]
- Payment disputes and Secretary review [FAP 111-46-00]

Notable New Policies

FAP 111-06-00: Kentucky
Procurement Institute

FAP 111-46-00: Resolution of
Payment Issues

FAP 111-60-00: Delivery Orders

FAP 111-65-00: Sponsorships

Targeted Revisions

Vehicles and replacement justifications
[FAP 111-20-00]

Printing, copiers, and IT approval [FAP
111-12-00, FAP 111-13-00, and FAP
111-15-00]

Trade-ins and long-term rentals [FAP
111-52-00, FAP 111-54-00]

Concession contracts [FAP 111-24-00]

Fictitious vendors [FAP 111-59-00(4)]

Clearer Solicitation Process Requirements

Focus Initially on Changes that Match Your Role

Recommended FAP Manual Review Order:

1. Review the new table of contents
2. Review FAP 110-01-00 Definitions
3. Review FAPs 110-03-00 (prohibited language) and 110-12-00 (procurement principles)
4. Review the policies governing your regular procurement methods
5. Consult the final manual as needed

New FAPs at a Glance

110-03-00	Prohibited Contract Clauses
110-12-00	Principles of Acquisition and Procurement
111-06-00	Kentucky Procurement Institute
111-07-00	Strategic Procurement Requests
111-46-00	Resolution of Payment Issues
111-60-00	Delivery Orders
111-65-00	Sponsorships

THANK YOU

QUESTIONS?

Cary Bishop
cary.bishop@ky.gov