

THE BUYERS NETWORK

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THE BUYERS NETWORK is Published Monthly by the Purchasing Division of the West Virginia Department of Administration to Promote Better Value in Public Purchasing

Purchasing Division Offers Basic Training to Educational Broadcasting Authority Staff

A current initiative of the Purchasing Division is to develop a comprehensive training program for procurement officers and their staff which is readily available both in person and in an electronic format. The purpose of this training initiative is to better communicate information on statutory and regulatory stipulations and procedures affecting agency purchasers' duties.

Upon request, the Purchasing Division recently met with staff members of the West Virginia Educational Broadcasting Authority

(WVEBA) to discuss and clarify various purchasing procedures and practices. "We appreciate the support of Executive Director Dennis Adkins to allow his employees receive additional training," said Purchasing Director David Tincher. "This was an initiative of Stephen Chapman, the WVEBA's procurement officer. It was a good refresher session for field staff that does not normally attend and receive training our annual Agency Purchasing conference."

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Purchasing Director Dave Tincher, center, and Assistant Director Karen Byrd, right, led a training seminar with procurement staff from the West Virginia Educational Broadcasting Authority. The session allowed WVEBA staff to further its knowledge of purchasing laws and procedures while allowing the Purchasing Division to fine tune its training programs which will soon be available online.

Registration to Begin this Month for 2008 Agency Purchasing Conference

Registration for the upcoming 2008 Agency Purchasing Conference will be available later this month. This year's conference is scheduled for Oct. 14-17, at Canaan Valley Resort and Conference Center in Davis, West Virginia.

The conference will offer many new additions, including a "Beginner's Track" for agency purchasers with less than two years of purchasing experience. New classes will also be offered, including a mock evaluation for the Request for Proposal process as well as courses on Acquisition Planning, Expressions of Interest, Evaluation and Award and Preventing Vendor Protests. The Purchasing Division is bringing back the Process Checklists class which guides participants through the necessary documentation for each type of transactions in addition to sharing the top ten reasons why requisitions and other documentation are returned to the agencies.

Information on lodging, classes and events will be communicated soon to agency procurement officers as well as other agency purchasers.

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THE DIRECTOR'S COMMENTS

Personalized Training Benefits State Agencies

By Dave Tincher
State Purchasing Director

As a result of a recent purchasing inspection, the Educational Broadcasting Authority (EBA) came to the Purchasing Division asking for help. They wanted to train their field staff as well as their administrative managers on the rules, procedures and law guiding the state purchasing process.

With an expanded focus on training, we quickly developed a 'basic purchasing course' to address the needs of agency personnel, but also prepared a high level overview of the purchasing process for managers. Steve

Chapman, procurement officer of EBA, was pleased with the outcome and indicated that his agency's employees have a better understanding of the requirements necessary to comply with state law, rule and procedures.



As many of you are aware, we are finalizing our plans for the upcoming 2008 Agency Purchasing Conference, which is scheduled for October 14-17 at Canaan Valley Resort and Conference Center. Although this annual conference provides agency purchasers with updated information and clarification on the purchasing procedures, the Purchasing Division

is doing more.

In May, the division completed our first online training program, which is highlighted in this issue of **The Buyers Network**. More online training courses are forthcoming. Personalized agency training is being coordinated throughout the year to supplement our annual conference.

Why are we targeting our efforts more on training? Primarily, because we realize the importance of understanding the requirements that the state law and Code of State Rules impose on all of us. We are striving to reach out to our agency purchasers with information, whether it is through email communication, our monthly newsletter or through agency training.

Increased communication and awareness of our jobs as state procurement officers will result in better efficiencies and savings to the state taxpayers of West Virginia.

Nominees Sought for Annual Purchasing Division Awards

The Purchasing Division needs your input to determine this year's recipients of its two recognition program: Agency Procurement Officer of the Year and Partner in Purchasing. Nominations are now being accepted!

The honorees will be announced at the 2008 Agency Purchasing Conference on Oct. 14-17 at Canaan Valley Resort and Conference Center. If you would like to nominate an individual, complete the necessary forms by visiting the Purchasing Division's Intranet web site at: <http://intranet.state.wv.us/admin/purchase/recognition> or contact Brian Holmes at 558-7022 or via e-mail at Brian.J.Holmes@wv.gov.

The Agency Procurement Officer of the Year program recognizes

Proposed Legislative Rules for Purchasing for Public Comment

During the 2008 Regular Session of the Legislature, H.B. 4664 passed, which modified the Purchasing Division statute. Accordingly, proposed Rules have been filed with the Secretary of State for a comment period. The comment period will end July 14, 2008, at 9:30 a.m.

The proposed rules may be reviewed at <http://www.wvsos.com/adlaw/proposed/proposedrules.htm> or at the Purchasing Division's Web site at <http://www.state.wv.us/admin/purchase/announcements.cfm>.

The modification to the Legislative Rule is under 7.11. Negotiation When All Bids Exceed Available Funds. The change consists of:

7.11.2. If all bids meeting requirements exceed the funds available for the purchase, and the Director determines in writing that there are no

~~additional funds available from any other source to permit an award and the best interest of the State will not permit the delay attendant to a resolicitation under revised specifications or for revised quantities;~~ the Purchasing Division may negotiate a lower price within budget with the lowest bidder meeting specifications. If the negotiation does not lead to the budget amount being met, the Director may negotiate a lower price with the next lowest bidder and continue negotiations with participating bidders after negotiations close with the preceding bidder. In conducting discussions, there may be no disclosure of any information derived from proposals submitted by competing bidders."

All comments should be directed to Donna Lipscomb at Donna.M.Lipscomb@wv.gov.

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Statewide Contract Spotlight...

ContactPointe Keeps State Agencies Ahead of the Technological Curve

There are many positive changes brought about by the advancements in technology. Programs are simplified and made to run faster. Detailed processes are broken down into more trouble-free procedures for users. The flipside of the constant advancements in technology is the difficulty in keeping up with them.

Not all agencies are readily able to stay ahead of the curve and that is where small information technology companies are able to fill a need. One such company is ContactPointe of West Virginia, which is a successful vendor on three statewide contracts, **ISCF0072B** (for training classes for Microsoft.Net programming); and **ITECH07K** (for supplemental technical staffing).

For a complete list of all successful vendors on these contracts, visit <http://www.state.wv.us/admin/purchase/swc>.

The statewide contract, **ISCF0072**, provides training classes for Microsoft.Net and SQL programming at the company headquarters in the Laidley Towers in Charleston.

For the **ITECH07K** statewide contract, ContactPointe provides information technology support staff,

which includes operations, project management services and major project implementation.

Founded by Rod Chambers in November of 1995, ContactPointe of West Virginia was originally known as Executrain of West Virginia. The company switched names in January of 2008. ContactPointe also has offices in Pittsburgh and Columbus.

Nina Shell-Stricker, a ContactPointe account manager in Charleston, said the company works with the majority of all state agencies. The company has been training state employees since it was founded. "Repeat business is our primary mode of operation. State government in West Virginia is a relatively small community and building trust with our clients has ensured our success," Shell-Stricker said.

The work philosophy at the company has proven successful. The repeat business has allowed ContactPointe to expand its services, which was one primary reason for its new company name and structure.

"As many clients already know, the expansion of services is what prompted our decision to incorporate

ContactPointe," Shell-Stricker said. "All of the same training services are available that we offered before but now with more flexibility, and we now have the ability to offer technical consulting and maintenance on a larger scale.

Shell-Stricker said it seemed like a natural transition for their trained and experienced instructors to begin consulting on the technologies they taught some eight years ago. "Now our clients know that we have the ability to offer the solution, whether we utilize our employees or train theirs to be more productive," she added.

For more information about ContactPointe of West Virginia, contact:

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account executive
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Charleston, WV 25301
304-343-0478
www.contactpointe.com
NinaS@contactpointe.com

*In each issue of **The Buyers Network**, the Purchasing Division will highlight one of our statewide contractors. Providing information about the company and the products offered on the statewide contract, this feature will help familiarize our agency purchasers with our business partners.*

West Virginia Code, §5A-3-5, authorizes the Purchasing Director to promulgate and adopt standard specifications based on scientific and technical data for appropriate commodities and services. *This establishes the quality to which commodities and services to be contracted for, by the state must conform. These standard specifications are used to establish statewide contracts for commodities needed on a repetitive basis. **No agency may be exempt from using statewide contracts without prior written approval from the Purchasing Director.***



ContactPointe of West Virginia employees, IT Technician Shawn Wilson and Account Executive Nina Shell-Stricker, confer on a project at the company's office in downtown Charleston. ContactPointe is a vendor two statewide contracts involving technological services.

Procurement Officer Profile... Kincaid Puts Human Face on DHHR

After two years as purchasing director for the Department of Health and Human Resources (DHHR), Alberta Kincaid admits she is still often astonished as the breadth of services offered by her agency. "Anything that affects people's lives, from pre-birth to after death, this agency will touch them," she said. "After just two years of being here, I am just beginning to scratch the surface."

Five agencies make up DHHR: Bureau for Child Support Enforcement, Bureau for Medical Services, Bureau for Children and Families, Bureau for Public Health, and Bureau for Behavioral Health and Health Facilities. Within those agencies exist dozens of smaller programs and thousands of procurement transactions.

Kincaid said because of the scope of DHHR, and the highly technical nature of so many procurements, procurement depends greatly on a team effort to best serve citizens. "While procurement may not always understand the highly technical nature of some of our customers' needs, there are many ways that we get involved in providing our services," she said. "Explaining the process, and becoming a partner with them in strategizing on how best to prepare solicitations that are competitive and conveys the scope of work/need required, is essential in developing and maintaining relationships with the users."

For a long time, the mindset has been that the procurement office was for regulation purpose, Kincaid said. She said she has worked to focus on a more solution-based outcome while also respecting the rules that guide procurement.

And while other agencies may find a decrease in tax dollars and thereby

a drop in services, Kincaid said the economic shift in recent years only means more work for DHHR. "We always say that in this agency, whenever the economy is not good, our workload goes up. If people are not working, it does not keep their children from getting sick, or from needing help," she said.

Those services range from prenatal care and pregnancy prevention to disease testing for animals and newborns and from operating seven long-term care facilities to overseeing indigent burials. Kincaid said the challenges help drive her.

Kincaid began as a file clerk for the Division of Motor Vehicles 20 years ago, moving briefly to the Parkways Authority and then back to the DMV as a purchasing agent. Her on-the-job training consisted of hard work and asking questions, she said.

Kincaid indicated that she prefers to learn by researching information on her own. "That works better for me,



ALBERTA KINCAID
Department of Health and
Human Services

because it allows me to learn it and retained it," she said.

She moved back to the Parkways Authority in 2002 as director of contract administration and procurement before joining DHHR in 2006. She said she is consistently impressed by the hard work of the staff. "This agency has so many dedicated people," she said. "If you do not see a lot of turnover, people are generally happy with what they are doing."

What's State Government Buying?

(This information is compiled from the West Virginia Purchasing Bulletin. The purpose is to provide an awareness of the variety of products and services being procured in state government. Only a small sample of solicitations are listed.)

- ♦ **Lottery Commission**
Request to produce and provide uplink services for the televised nightly online drawings.
- ♦ **All State Agencies**
Request to provide gasoline powered lawn maintenance equipment to all state agencies and political subdivisions.
- ♦ **Department of Administration**
Request to provide financing services for CISCO equipment.
- ♦ **Division of Natural Resources**
Request to respond to an expression of interest for engineering, inspection, and consulting for Canaan Valley, Hawks Nest and Pipestem state park tram systems.

Ethics Commission Files Legislative Rule Affecting Purchasing Control

**Submitted by Theresa Kirk
State Ethics Commission**

The Ethics Commission has filed three Legislative Rules for public comment, which affect public officials and employees who exercise control over purchasing. The Rules are intended to provide guidance in regards to changes that were made to the Ethics Act during the 2008 Legislative Session through the passage of H. B. 4524. All public comments must be submitted to the Ethics Commission in writing by July 18, 2008. The Rules are available for review at the Secretary of State's Web site, www.wvsos.com, and at the Ethics Web site, www.wvethicscommission.org under section entitled "Rules and Guidelines."

Title 158, Series 3 is entitled "Purchase, Sale or Lease of Personal Property." During the 2008 Legislative Session, the Ethics Act was amended to impose restrictions upon public officials or employees who exercise purchasing authority. Pursuant to the changes in the Act, these employees are now restricted from seeking to purchase, sell or lease real or personal property from vendors over whom they exercise control. Previously, these restrictions only applied to public officials or employees who exercise regulatory control. Through the passage of H. B. 4524, the Legislature also gave the Ethics Commission the authority to establish exceptions to this limitation.

The Rule sets forth the process for seeking an exemption to purchase, sell or lease personal property if the transaction would otherwise be prohibited due to the limitations in the Act. The proposed Rule creates exceptions to the restrictions imposed on purchasing, selling or leasing personal property to ensure that the

restriction is not unduly burdensome. One exception created is that the restriction does not apply to personal property, including consumer goods, which is sold or available for lease through commercial establishments which are open to the general public. For example, the limitations do not apply to purchases made at the local grocery stores, "box stores" and other stores open to the public.

The proposed changes also exclude from the limitation personal property which has a fair market value of \$25.00 or less. For example, if a sales representative for a vendor is selling a used radio for \$22.00, and the fair market value of the radio is \$22.00, then a public official or employee is free to purchase the radio without first obtaining an exemption.

Title 158, Series 11 is entitled "Employment Exemptions." The 2008 changes to the Ethics Act also impose limitations upon those who exercise purchasing power from seeking employment with vendors over whom they exercise control. This same limitation has been imposed upon those who exercise **regulatory** control since the original passage of the Ethics Act in 1989.

To obtain an exemption, an employee must submit a written request to the Executive Director of the Ethics Commission. The Executive Director grants a Temporary Exemption which then must be ratified by the Ethics Commission within 45 days. This requirement provides transparency in government, avoiding the perception that public employees will give favorable treatment to those vendors with whom they are seeking employment and over whom they exercise control. During the period when an affected public employee is seeking employment, he or she may

not take action involving that vendor.

Title 158, Series 8 is entitled "Interest in Public Contracts." Public officials or employees who exercise control over contracts are prohibited from having a financial interest in any such contract. The 2008 changes to the Ethics Act permit public officials or employees to have a \$1,000.00 interest in a public contract over the course of a calendar year. Even if public officials or employees legally may have a limited \$1,000.00 interest in a public contract, this interest is only permissible if they take no action in regards to granting the contract in question or otherwise participating in the administration of the contract, including approving payments. If an interest is greater than \$1,000.00, then public officials or employees may only have an interest in the public contract if their government agency seeks and receives a hardship exemption.

All public comments must be submitted to the WV Ethics Commission, 210 Brooks Street, Suite 300, Charleston, WV, 25301.

Recognition Programs

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individuals who have demonstrated high levels of performance and professionalism for their respective agency. The Partner in Purchasing program honors individuals who have excelled in representing their agency in one of the various programs administered by the Purchasing Division: Fleet Management, Fixed Assets, Surplus Property, TEAM and Travel Management.

More information on the two programs as well as the established criteria is available at the Intranet site listed previously. All nominations must be submitted no later than Friday, Aug. 15, 2008.

Send your nomination forms in today!

Current Statewide Contract Update

(As of May 15, 2008)

This page includes a listing of current changes made to statewide contracts issued by the Purchasing Division. Information and dates listed in this **Current Statewide Contract Update** are subject to change. All statewide contracts are available online at <http://www.state.wv.us/admin/purchase/swc>. For more information, please contact Senior Buyer **Jo Ann Adkins** at (304) 558-8802 or via e-mail at Jo.A.Adkins@wv.gov.

Contracts Awarded

<u>Contract</u>	<u>Description</u>	<u>Vendors</u>	<u>Effective Date</u>
MOTEL08 [AOA, ANA]	Hotel/Motel Accommodations	[AOA] Morgantown Super 8 Motel; [ANA] New River Lodge	03/01/08
SIP2008	Computers and Software	Information Systems	05/01/08
ENTRZ089	Microsoft Products	Software House International	06/30/08

Contracts Out for Bid

<u>Contract</u>	<u>Description</u>	<u>Pre-Bid Meeting</u>	<u>Bid Opening</u>
OP08	Information Processing Equipment	06/19/08	07/08/08
FASTEN08	Fasteners and Equipment	---	07/09/08
LAWN	Lawn Equipment	---	07/10/08

Contracts Under Evaluation

<u>Contract</u>	<u>Description</u>	<u>Bid Opening</u>	<u>Under Evaluation</u>
SANPAP08	Sanitary Paper Supplies	06/05/08	Yes
MOVE08	Moving Services	06/12/08	Yes
OIL08	Oil, Lubricants and Greases	06/17/08	Yes

Contracts Extended

<u>Contract</u>	<u>Description</u>	<u>Vendor</u>	<u>Extension Date</u>
DIGCOP04 [BA, A, D, F, H]	Digital Copiers	[BA] Ricoh Americas Corp.; [A] Sharp Electronics; [D] Aarons Products Incorp.; [F] Kyocera Mita America; [H] Xerox	08/14/08
FUEL05 [B-C]	Motor and Heating Fuel	[B] Guttman Oil Co.; [C] Tri-State Petroleum Corp.	09/30/08

Contracts Renewed

<u>Contract</u>	<u>Description</u>	<u>Vendor</u>	<u>Expiration Date</u>
AEBATT07	Auto and Equipment Batteries	Taylor & Blackburn Battery Co.	07/14/09

Contracts Renewed

<u>Contract</u>	<u>Description</u>	<u>Vendor</u>	<u>Expiration Date</u>
FRMTIRE06	Farm and Backhoe Tires	S&S Tire	05/31/09
SUPFOOD07	Supplemental Foods	Grove Medical Incorporated	06/30/09
FILTER07	Oil, Air and Gas	Vehicle Maintenance	07/31/09
LGLOVES07	Latex Gloves	Glove USA Inc.	07/14/09

Miscellaneous Action

<u>Contract</u>	<u>Description</u>	<u>Vendor</u>	<u>Comment</u>
LAN07 [A-C, DA E-G, HA]	Local Area Network	Various Vendors	Add Ordering Procedures
WAN08 [A-C]	Wide Area Network	Various Vendors	Add Ordering Procedures
IPT07 [A-D]	Internet Protocol Voice Communication	Various Vendors	Add Ordering Procedures
SIP2008 [A-D]	Servers, Computers and Peripherals	Various Vendors	Add Ordering Procedures
DIGCOP04 [A, BA]	Digital Copiers	[A] Sharp Electronics; [BA] Ricoh Americas	Make Model Change

Contracts Reviewed

Statewide contracts are reviewed approximately three months prior to the actual expiration date. During this review process, the state buyer examines the specifications and the products included in each contract.

JULY

FLRCOV	Carpet and Rugs
ITECH	Technical Support/Staffing
LABSUP	Laboratory Supplies
LAUNDRY	Laundry Materials

AUGUST

BEDDING	Mattresses, Box Springs and Pillows
DCBATT	Dry Cell Batteries
DWASH	Dishwashing Supplies
TRAVEL	Travel Management Services
XRAY	X-Ray Film and Supplies

Online Training Course Offers Guide Through Vendor Registration Search

A new online training curriculum offers agency procurement officers and their staff a tutorial on how to look up a vendor in the TEAM automated purchasing system. Additional information relating to vendor registration is also included in this training course.

The 12 minute course, which is available at <http://www.state.wv.us/admin/purchase/training/>, provides a step-by-step instruction for purchasing officers to check if a vendor is registered with the state using the TEAM purchasing system.

Rather than simply offer a PowerPoint presentation, this training offers a series of screenshots which take viewers through the process with the procedure explained by Staff Development Specialist Brian Holmes of the Purchasing Division. The training course also illustrates to procurement officers how to search the TEAM system and to see if a vendor is on "hold".

The course is a progression in how training is offered on the Purchasing Division's Web site. Previous training modules were available as PowerPoint presentation, which explained processes and procedures without including narration.

A video presentation on best value purchasing had been offered on the site previously, but Technical Services Manager Dan Miller said the video was retracted following purchasing reform since many of the changes affected this procedure. And using video technology, it was difficult to make changes quickly. "Now we have the tools on site to keep the video up to date," Miller said.

Miller said the new online training



course gives a better overview on vendor registration. "Before, in traditional classes, the audiences learned about vendor registration from Dan Miller's point of view," he said. "With this addition, it gives a better overall view from the Purchasing Division's perspective."

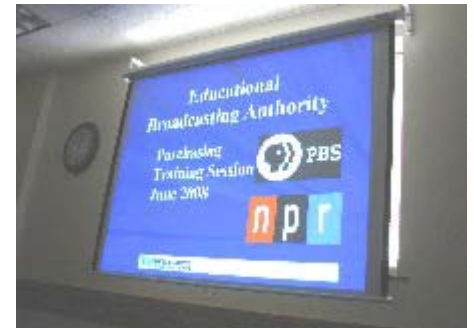
The availability of the training module, which is 24 hours a day, seven days a week on the Web site, creates an anytime opportunity for procurement agents to view this information. "Agency personnel can access it from their offices and review it on their own schedule," Miller said.

In accessing the training course on vendor registration, Miller said it is recommended to access the video link on the specific Web site page (<http://www.state.wv.us/admin/purchase/training>) and right clicking on the link titled "Vendor Registration Tutorial", selecting "Save Target As" and saving the module onto the user's computer, since the video is a large file.

Additional online training modules are being planned for the near future, Holmes said, with possible expansion into more interactivity in the learning process. If you have questions or comments about the new online training, please email Brian Holmes at Brian.J.Holmes@wv.gov.

Educational Broadcasting

Continued from Page 1



Purchasing information is shown on the screen during a training program for the WVEBA.

The basic session for approximately 12 field staff consisted of Tincher and Karen Byrd, Assistant Purchasing Director for the Acquisition and Contract Administration Section, addressing agency delegated purchasing issues. "We took many questions from the WVEBA representatives, which was very positive. That helped clarify the purchasing issues they face in their daily tasks," said Byrd.

An afternoon session was conducted for the WVEBA management team to discuss more high level issues relating to the state purchasing process.

The Purchasing Division training initiative is extending to online programs (see related article to the left). The online training will provide those associated with the procurement process, whether directly or indirectly, access to updated and accurate information at all times.

"The time spent with the Educational Broadcasting Authority staff and their questions allows us to fine tune our training programs," said Tincher. "The training programs are another big step forward in ensuring that procurement officers have the best available resources to carry out their mission of following state law, legislative rule and Purchasing Division procedures."

Questions?...Just Ask Us!

Are you unsure of certain purchasing procedures? Do you need information on the current state travel regulations? Do you have a question regarding travel requests? Would you want to know what surplus property is available?

If you need additional information concerning any function within the Purchasing Division, complete the form below and return to the address below. You also may forward your request via e-mail.

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2019 Washington Street, East
P.O. Box 50130
Charleston, WV 25305-0130
E-Mail Address: Diane.M.Holley@wv.gov



Name _____
Organization _____
Address _____
Telephone Number _____
E-Mail Address _____
Need Information about _____

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