

THE BUYERS NETWORK

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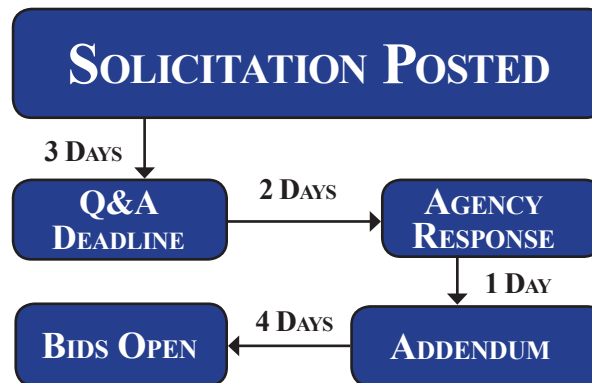
THE BUYERS NETWORK
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of Administration to Promote
Better Value in Public Purchasing

Expedited Bid Cycle Helps Agencies Obtain Needed Commodities and Services More Quickly

In an effort to help state agencies obtain commodities and services they need more quickly, the Purchasing Division is expediting the bid process. This effort is one of many initiatives the Purchasing Division is taking to make the process more efficient.

In the past, solicitations were out for bid for an average of one month. The goal now is to complete this process in 10 days. Utilizing the new format, vendors will have three days to submit their questions regarding the solicitation once it has been posted in the *West Virginia Purchasing Bulletin* in the Vendor Self Service (VSS) portal. In turn, the agency will have two days to respond to those questions and an additional day to publish the resulting addendum. Ideally, there should be four days between any addendum and the bid opening date.

This change means that agencies will have to work quickly to research and respond to questions. Delays will require the Purchasing



The Purchasing Division has introduced a 10-day bid cycle to help expedite the procurement process. The cycle outlined to the left will not affect the time to complete the front-end of the procurement process.

Division to reschedule bid openings. “We understand government procurement takes time as we must ensure that we follow all mandates of Code and Rules while maintaining transparency,” said Assistant Purchasing Director Frank Whittaker. “The intent is to condense the bidding process into a 10 day cycle whenever circumstances allow.”

The condensed format does not affect the time necessary to complete the front-end of the process, when the buyer works with the agency on specification development. The Purchasing Division is committed to working with its agency partners to strive for an expedited process, while ensuring quality and integrity of the process.

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Reminder: Annual Agency Inventory Certifications Due to Surplus by July 15

The deadline for state agencies to submit their annual inventory certification to the Purchasing Division is quickly approaching. According to *West Virginia Code* §5A-3-35, the head of every spending unit must file an inventory of all real and personal property, equipment, supplies, and commodities in its possession as of the end of the fiscal year. This must be filed with the Purchasing Director on or before July 15 of each year. A physical inventory is required once every three years.

Agencies must complete the *Inventory Management Certification Cover Sheet*, which can be found at www.state.wv.us/admin/purchase/surplus/forms/AssetMgmtCertificationCoverSheet.pdf, and submit it to the West Virginia State Agency for Surplus Property (WVSASP) no later than July 15, 2017. The Certification Cover Sheet should include:

- The date the last physical inventory was taken of all reportable assets under the agency head's authority;

Please see **INVENTORY CERTIFICATION**, page 3

ACTING DIRECTOR'S COMMENTS

Purchasing Division Continues to Seek Process Efficiencies

By Acting Purchasing Director Mike Sheets

Summer has officially arrived, along with the start of the new fiscal year. As with each season that begins and ends, now is the time for opportunity and rejuvenation.

Since becoming Acting Director of the Purchasing Division, I have realized now more than ever the importance of the Purchasing Division's role in state government and how we must work together to realize continued improvements and savings. We have been delegated the responsibility of procuring quality goods and services at the best value for the state. How we do this is just as important as why.

One of my primary focuses is to create more efficiency in the process and to enhance our turnaround time to better serve our agency partners. In June, we made it our goal to cut our solicitation advertising time in the *West Virginia Purchasing Bulletin* in half. This expedited bid time will ensure agencies get what they need in a timely manner without disrupting the services they provide to the state.

Additionally, recent legislation guided us to refine procedures utilized in the evaluation process, particularly with construction contracts. Previously, any vendor that did not submit the Drug-Free Workplace Affidavit or Contractor's License number with the bid as part of a construction solicitation was immediately disqualified. Alternatively, any vendor who did not submit the subcontractor's list within 24 hours of the bid opening was disqualified. The new law now affords the Purchasing Division the ability to request the Drug-Free Workplace Affidavit and Contractor's License within 24 hours,

and gives the vendor an additional 24 hours to provide the subcontractor's list after the Purchasing Division notifies them. This practice will ensure that vendors have an opportunity to provide the list after notification. For more information on these changes, you can view the June issue of *The Buyers Network*.

As a direct result of these legislative updates, the Purchasing Division has updated its *Purchasing Division Procedures Handbook* as well as various forms, the Purchasing Master Terms and Conditions, specification templates, and other pertinent purchasing documents and resources. Ensuring complete and accurate information on these documents will ensure that all agency procurement officers have the latest and most accurate information at their fingertips. For a look at these changes, see the article on page 3.

To further assist our agency procurement officers, the Purchasing Division has created a new form, the *Exemption Opinion Request Form*. This form provides the Purchasing Division with a consistent and formal method to help our state agency purchasing partners when it is unclear whether a transaction is covered under the Section 9 Exemption List. Section 9 of the *Purchasing Division Procedures Handbook* provides a comprehensive list of all non-competitive, exempt commodities and services that have been determined to be impossible to competitively bid. To find out more about this form, see the article on page 4.

The Purchasing Division is always looking for ways to improve and expedite the purchasing process. We challenge you to share your ideas of how we can make this happen. After all, when we work as a team, we can achieve great things together!



Purchasing Division staff joined together in June to take the staff photograph (above) on the Capitol steps. This has become an annual tradition for the agency, with each year's photograph proudly displayed in the hallway at the office.

New Laws Mean Changes to Purchasing Division Procedures Handbook and More, Effective July 7

Last month, the Purchasing Division informed agency designated procurement officers via email of modifications being made to the *Purchasing Division Procedures Handbook*, as well as the Agency and Purchasing Master Terms and Conditions, effective July 7, 2017. These changes were the result of new laws that were approved during the Regular Session of the State Legislature.

Some of these changes are outlined below:

Section 3 – Acquisition Planning

- 3.6.1: Language added to clarify that agencies must first determine that the commodity or service being sought is not offered by an internal source.
- 3.7.3: Language added stating that agencies are encouraged not to schedule their bid openings at the Purchasing Division's 1:30 p.m. bid opening time in order to avoid confusing vendors.

Section 4 – Vendor Registration Requirements

- 4.4: According to *West Virginia Code* §5A-3-59 (b), state agencies are required to submit annual progress

reports on small, women- and minority-owned (SWAM) business procurements each fiscal year to the Purchasing Division. Language was added to this section regarding these SWAM progress reports, including the Report ID that should be used in Business Intelligence to remain in compliance.

Section 5 – Agency Delegated Acquisition Procedures (Purchases \$25,000 or Less)

- 5.2.2.1: Revised language regarding alternates/add-ons. The new language states that there may be no more than seven alternates/add-ons listed in a construction solicitation and that these alternates/add-ons must be selected in the order of priority listed on the pricing pages.

Section 6 – Formal Acquisition Procedures

- 6.2.17: Language added related to the new Interested Party Disclosure Form, which is required for contracts with an actual or estimated value of at least \$100,000.

Section 9 – Non-Competitive/Exempt List of Commodities and Services

- Introduction: Agencies may now

formally inquire about the Purchasing Division's opinion on whether a particular transaction is included in one of the existing categories of the Section 9 Exempt List using the Section 9 Exemption Opinion Request Form (WV-68).

In addition to these changes, House Bill 2897 will change the requirements for the submission of several documents related to construction contracts, including that of the contractor's License and Drug-Free Workplace Affidavit. The Purchasing Affidavit and Construction Checklist (WV-75) were also modified as a result. For more information on these legislative updates and others, see the June 2017 issue of *The Buyers Network*.

Should you have any questions regarding these changes, please contact your agency designated procurement officer who has received detailed information regarding these changes. The Purchasing Division continues to review and make necessary revisions to the *Purchasing Division Procedures Handbook* and its Master Terms and Conditions to ensure they are current and correct throughout the year.

INVENTORY CERTIFICATION

Continued from Page 1

- Certification that the agency has entered all real property and all reportable assets in its possession for the current fiscal year into the *wvOASIS* Fixed Assets System;
- Certification that all outdated assets under the agency head's administration were retired in conformance with WVSASP policy, procedures, and guidelines; and
- Certification that the information contained in the *wvOASIS* Fixed Assets System is to serve as the required inventory report that must be filed with Purchasing Division director.

Agencies are also reminded to check for asset shell documents. Shell documents should be completed or the event type changed to "FA14" to remove the shell document. Agencies should not wait until the last minute to complete this report.

"Please keep in mind that the July 15 date is set in *West Virginia Code*; therefore, no extensions can be granted," said Assistant Purchasing Director and WVSASP Manager Elizabeth Perdue. "If you need assistance in running reports so that you can certify your inventory, Surplus Property will be glad to assist you."

For information regarding inventory management policies and procedures, visit www.state.wv.us/admin/purchase/surplus/InventoryMgt. Additional questions regarding the reconciliation of fixed assets may be directed to Perdue at 304.766.2626. Buyers Network

STATE OF WEST VIRGINIA
Department of Administration
Purchasing Division

Asset Management Certification Cover Sheet
Fiscal Year _____

Agency Name: _____
Agency Mailing Address: _____
Agency State Level Organization Number: _____
Agency Asset Coordinator: _____
Telephone Number: _____

Agencies are required to certify their inventory each year and complete this Asset Management Certification Cover Sheet and submit to the Purchasing Division by July 15 each year. I hereby certify as true and accurate the following:

- A physical inventory of all Reportable Assets under the department head's jurisdiction was completed as of _____ (A physical inventory is required once every three years of all agency-owned assets).
- All assets under the department head's jurisdiction as of June 30, _____, with an acquisition cost of \$1,000 or more, computer equipment with an acquisition cost of \$500 or more and all weapons, regardless of acquisition cost, were entered in the *wvOASIS* fixed asset module for the current fiscal year, and.
- All obsolete assets under the department head's jurisdiction were retired in accordance with Surplus Property policy, procedures and guidelines.
- All real property under the department head's jurisdiction has been properly entered into the *wvOASIS* fixed asset module. (*West Virginia Code* §5A-3-35 also requires agencies to report real property to the Director of the Purchasing Division. By signing this form, the department head certifies that the agency has properly entered real property into *wvOASIS* and that *wvOASIS* will serve as the required report.)

Department Head Signature: _____
Date: _____
To be submitted no later than July 15, _____ to:

West Virginia Purchasing Division
Program Services Section
Surplus Property Unit
2700 Charles Avenue
Dunbar, WV 25064
FAX: (304) 766-2621

Agencies Reminded to Submit Approval Memos to Purchasing

The West Virginia Purchasing Division understands the importance of state law and therefore, strives to maintain contract files that are complete and accurate, documenting every step of the process.

Doing so provides the documentation necessary for the Purchasing Division to illustrate and justify the actions taken and stand together with the agency should any issues arise. It also provides the agency with the security that every step of the process was followed in accordance with the law, rule and procedure.

The *West Virginia Code of State Rules* 148CSR1-3.2 requires the Purchasing Division to maintain official documentation regarding approvals for requisitions and change orders. While procurement officers do submit an approval through wvOASIS, this action

does not provide sufficient documentation; therefore, an approval memorandum should be included.

“Proper approval documentation is extremely important in the procurement process,” said Assistant Purchasing Director Frank Whittaker. “We always want to make sure the printed file maintained at the Purchasing Division offices contains all official information as it relates to that contract. This allows the Purchasing Division staff to access all information regarding a solicitation if needed.”

When an agency submits a requisition or change order request, procurement officers should include the official memorandum at time of submission within wvOASIS. Procurement officials should speak to their agency’s assigned Purchasing Division buyer for questions regarding these transactions.

Latest Property Connection Now Available Online

The second quarter issue of *The Property Connection*, produced by the West Virginia State Agency for Surplus Property (WVSASP), is now available online at www.state.wv.us/admin/purchase/surplus/propertyconnection.

This issue highlights the Eligible Organization Open House and 2017 Customer Appreciation Day recently held at WVSASP. The Division of Highways is also recognized as this quarter’s eligible organization. Learn more in this issue on how the organization has benefited from WVSASP purchases.

To view the latest newsletter or for more WVSASP news and updates, visit WVSurplus.gov or call 304.766.2626.

WVSASP also maintains a Facebook page at www.facebook.com/wvsurplus.

New Exemption Opinion Request Form Assists State Agencies in Determining Section 9 Status

As many may be aware, the Purchasing Division was granted the ability to identify and maintain a list of commodities and services that are impossible to competitively bid. That list is known informally as Section 9 of the *Purchasing Division Procedures Handbook*.

Over the years, and especially since Section 9 was significantly revised in July 2015, the Purchasing Division has received inquiries from agency procurement officers trying to determine if a commodity or service is included in a Section 9 exemption. In those circumstances, the Purchasing Division would try to assist but had no formal or consistent way to provide guidance.

In an effort to assist our agency procurement officers in making this determination, the Purchasing Division recently created the *Exemption Opinion Request Form*. This form allows procurement officers to formally inquire about whether a specific transaction falls under

the Section 9 Exemption List. Purchasing Division General Counsel Jimmy Meadows said the form was loosely based on the concept of the Ethics Opinions provided by the Ethics Commission, or private letter rulings issued by the IRS.

Much like those ethics opinions or private letter rulings, each opinion is intended to encompass a single transaction, is based solely on the facts provided, and cannot be applied beyond the agency requesting it.

Mr. Meadows also stressed, “Agencies can utilize a Section 9 exemption without Purchasing Division approval when there is no question that the transaction qualifies. In fact, that is what should happen. But agencies sometimes need help in the gray areas.”

The new *Exemption Opinion Request Form* is intended to provide assistance when the agency finds itself in that gray area. In other words, when the applicability of a Section 9 exemption is ques-

tionable or unclear, agencies can submit the *Exemption Opinion Request Form* for an opinion.

Agencies should be sure to complete the *Exemption Opinion Request Form* in its entirety, which will help to expedite the review process. Agencies should also note that the form is prospective and cannot be used for a transaction that has already occurred. Once an opinion is obtained, it should be kept in the contract file. “The opinion becomes very useful during a purchasing inspection to show the inspectors that it was maintained in the file,” Meadows added.

The form may be found online at <http://intranet.state.wv.us/admin/purchase/WV68Section9ExemptionOpinionRequestForm.pdf>. Once completed, the form should be submitted to Acting Purchasing Director Mike Sheets at William.M.Sheets@wv.gov or Assistant Purchasing Director Frank Whittaker at Frank.M.Whittaker@wv.gov.

Purchasing Division Shares Recent Staff Changes

The Purchasing Division is pleased to share information regarding two staffing changes within the Communication and Technical Services Section.

Sabrina Stollings has recently joined the Technical Services Unit as the Vendor Registration Coordinator, while Pam Duncan has transitioned into her new role of Office Assistant II in the Support Services Unit.

Stollings, a resident of Madison, previously worked for Boone Memorial Hospital in registration and for the Boone County

Board of Education as the SMARTFIND operator.

A graduate of Scott High School, Stollings has also taken classes at Southern West Virginia Community and Technical College focusing on administration and business. Stollings' responsibilities will include overseeing the Vendor Registration Program and the Small, Women- and Minority-owned Business Certification Program.

Duncan, previously an Office Assistant I for the Purchasing Division, is now serving as the bid clerk in the reception area. Her responsibilities include receiving all bids submitted by vendors and ensuring they are time-stamped and secured. Additionally, she greets all visitors, answers the main phone line for the Purchasing Division, and assists in tracking requisitions upon receipt in *wvOASIS*.

The Purchasing Division welcomes Stollings and congratulates Duncan on her new position!



The Purchasing Division recently welcomed Pam Duncan, left, and Sabrina Stollings, right, to new positions within the Division. Duncan transitioned to the role of Office Assistant II in the Support Services Unit while Stollings joined the Division as the Vendor Registration Coordinator in the Technical Services Unit.

New One-Page Solicitation Notification Implemented as Part of Purchasing Process

To reduce the amount of time it takes to complete the procurement process and to ensure that state agencies obtain their needed commodities and services more quickly, the Purchasing Division will no longer be mailing full solicitation packets to vendors, except upon request.

Instead, the Purchasing Division is now sending a one-page document that notifies suggested vendors of each published solicitation, which will include the solicitation type, a description of the commodity or service needed, the deadline for questions, the bid closing date and time, and where the vendor can find the solicitation in the *West Virginia Purchasing Bulletin* within the Vendor Self Service (VSS) portal in *wvOASIS*.

“The Purchasing Division is adopt-

ing this policy to reduce the bid cycle time and mailing costs,” explained Assistant Purchasing Director Frank Whittaker. “By not mailing the full solicitation, the information will be made available to the identified vendors through *wvOASIS*.”

For general solicitations, the Purchasing Division has made it a goal to reduce the bid cycle time to 10 business days. In order to meet this goal, information must be made available to vendors sooner. Vendors are encouraged to register their commodity codes and email address in the system, so notifications are sent automatically from *wvOASIS*.

For more information regarding this solicitation notification, contact your designated Purchasing Division buyer.

THE BUYERS NETWORK

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Current Statewide Contract Update

(As of June 13, 2017)

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 www.state.wv.us/admin/purchase/swc. For more information, please contact the buyer assigned to the specific statewide contract.

New Contract

Contract	Vendor	Commodity	Effective Date
MVAPRTS17	Auto Parts	NAPA Auto Parts	06/15/17 -06/14/18

Contract Renewal

Contract	Vendor	Commodity	Effective Date
SWC*7	Workstations and Office Packages	Capitol Business Interiors	05/15/17 -05/14/18

Statewide Contract for Auto Parts Now Awarded

The Purchasing Division recently awarded the new statewide contract for auto parts (SWC MVAPRTS17) to NAPA Auto Parts.

For the last several years, agencies have been responsible for soliciting bids for automobile parts that are needed in order to maintain their vehicles. The Purchasing Division recognized a need for a statewide contract, and Senior Buyer Crystal Rink has worked tirelessly to get it ready for agencies' use.

"We are excited to have a contract in place for the agencies," Rink said. "This has been one of the most difficult commodities for the Purchasing Division to bid. However, we didn't give up and were finally able to successfully award it."

The statewide contract is an open-end contract and has many items available for state agency use. For additional information regarding this contract, please visit the direct contract page link at www.state.wv.us/admin/purchase/swc/MVAPRTS.htm. Ordering instructions are included on this webpage, as well as the different category descriptions with the discount percentages offered.

Parts can be shipped directly to the agency, or a list of pickup locations can be found in the contract documents.

Questions may be directed to the vendor contact person, Customer Service Representative Don Lachance, at (678) 934-5057 or don_lachance@genpt.com.

Any purchasing-related questions regarding this contract may be directed to Rink at Crystal.G.Rink@wv.gov.

Interested in finding out what other statewide contracts are available? Be sure to check out our Statewide Contract webpage at www.state.wv.us/admin/purchase/swc.

SWC*8	Workstations and Office Packages	Contemporary Galleries Of WV	05/15/17 -05/14/18
WVRFJAN14	Cleaning And Janitorial Services	WV Assoc. Of Rehab Facilities	07/01/17 -06/30/18

Miscellaneous Actions

Contract	Vendor	Commodity	Description of Change
NTIRE13A	Tires	Goodyear Tire	To publish an updated dealer list

FOR MORE INFORMATION

Below is a list of Purchasing Division buyers assigned to specific state agencies.

BUYER	E-MAIL	PHONE
<u>Supervisors</u>		
Tara Lyle	Tara.L.Lyle@wv.gov	558-2544
Guy Nisbet	Guy.L.Nisbet@wv.gov	558-2596
Linda Harper	Linda.B.Harper@wv.gov	558-0468
<u>Senior Buyers</u>		
Mark Atkins	Mark.A.Atkins@wv.gov	558-2307
Charles Barnette	Charles.D.Barnette@wv.gov	558-2566
April Battle	April.E.Battle@wv.gov	558-0067
Jessica Chambers	Jessica.S.Chambers@wv.gov	558-0246
Michelle Childers	Michelle.L.Childers@wv.gov	558-2063
Stephanie Gale	Stephanie.L.Gale@wv.gov	558-8801
Brittany Ingraham	Brittany.E.Ingraham@wv.gov	558-2157
Melissa Pettrey	Melissa.K.Pettrey@wv.gov	558-0094
Crystal Rink	Crystal.G.Rink@wv.gov	558-2402