

WEST VIRGINIA PURCHASING DIVISION

# 2020 ANNUAL REPORT



[WVPURCHASING.GOV](http://WVPURCHASING.GOV)  
DEPARTMENT OF ADMINISTRATION

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# Director's Message



STATE OF WEST VIRGINIA  
DEPARTMENT OF ADMINISTRATION  
PURCHASING DIVISION  
2019 WASHINGTON STREET, EAST  
CHARLESTON, WEST VIRGINIA 25305-0130

ALLAN MCVEY  
CABINET SECRETARY

W. MICHAEL SHEETS  
DIRECTOR

June 30, 2020

To the Citizens of West Virginia:

To say this has been a year like no other is an understatement, but how else do you explain a global pandemic that shut down entire countries and economies? While the fiscal year started out like any other, with a successful three-day conference held at Lakeview Resort, our multi-agency Open House event for vendors, some “wins” during the 2020 Regular Session of the Legislature, and some high-profile contract awards, the fiscal year ended with some unprecedented, albeit temporary, changes to the state purchasing process.

By March 2020, state employees were instructed to work from home, bid openings were moved online, and in-person trainings and gatherings had been canceled. Rules for the purchase of goods and services related to COVID-19 were temporarily suspended at the direction of the cabinet secretary. Certain industries saw a loss of supply while demand for various goods went up. Statewide contract vendors were among the affected.

But that didn't stop our agency partners from submitting requisitions or the Purchasing Division from publishing solicitations, and it didn't stop vendors from submitting bids or updating their vendor accounts. Staff and agency procurement officers continued to evaluate bids and award contracts. This fiscal year, our Purchasing Division buyers assisted agencies with some significant purchases. Among them, we worked with the Division of Highways to purchase heavy equipment used as part of Governor Jim Justice's new Jobs and Hope program. We worked with the City of Charleston as part of our local governments' initiative to enter into a cooperative agreement with NASPO for the purchase of fire trucks. And in line with Gov. Justice's push to bring more tourists to the state, we assisted the Division of Natural Resources with the purchase of a new bike trail at Twin Falls State Park and some input ramps along the Elk River.

This time confirmed what we already knew.: purchasing is an essential function of state government, and I'm so honored to share the success and accomplishments of the Purchasing Division and its Surplus Property subdivision with you, pre and post pandemic. For more on our accomplishments this year, I encourage you to read on.

Sincerely,

W. Michael Sheets, CPPO, Director  
West Virginia Purchasing Division

A handwritten signature in black ink, appearing to read "W. Michael Sheets".

# General Information

## Contact Information:

Contact information for our staff is available on the West Virginia Purchasing Division's website at *WVPurchasing.gov*. Biographical information for the senior management team, the division's organizational chart and detailed contact information for staff is accessible at the "Contact Us" button on the home page. The address, telephone and fax number for our agency is noted below:

West Virginia Purchasing Division  
2019 Washington Street, East  
Charleston, WV 25305

Telephone: (304) 558-2306  
FAX: (304) 558-4115

*WVPurchasing.gov*

## Statutory Authority:

The Purchasing Division was created and its duties outlined in the W. Va. Code § 5A-3-1 et seq. According to the Code, *"the Purchasing Division was created for the purpose of establishing centralized offices to provide purchasing and travel services to various state agencies."*

The Purchasing Division operates in adherence to W. Va. 148 C.S.R. 1, which serves as a clarification of operative procedures for the purchase of products and services by the division. It applies to all spending units of state government, except those statutorily exempt.

## Mission Statement:

Below is the mission of the Purchasing Division, which stresses the valued services provided to our customers by making sound and effective decisions in accordance with state law:

*To provide prudent and fair spending practices in procuring quality goods and services at the lowest cost to state taxpayers by maximizing efficiencies and offering guidance to our customers.*

## Marketing Strategy:

The Purchasing Division communicates with its state agency partners and vendor community regarding its programs and services through a variety of mediums, including the *West Virginia Purchasing Bulletin*, the listing of state government bid opportunities through the *wvOASIS* Vendor Self Service portal; a monthly online newsletter for state procurement officers, *The Buyers Network*; our quarterly West Virginia State Agency for Surplus Property newsletter, *The Property Connection*; email correspondence to our designated state agency purchasing liaisons; various training programs; and our website (*WVPurchasing.gov*) and intranet site (<http://intranet.state.wv.us/admin/purchase>), which is only accessible to state employees. In an effort to provide our customers with the best possible service, the Purchasing Division looks for ways to network effectively with our agency partners.

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## Customer Service Representative:

The Purchasing Division has a designated customer service representative to serve as the primary contact for all inquiries, suggestions and concerns. Samantha Knapp, Acting Assistant Purchasing Director, serves in this role and may be contacted at (304) 558-7022 or via email at [Samantha.S.Knapp@wv.gov](mailto:Samantha.S.Knapp@wv.gov).

## Organizational Structure:

The Purchasing Division is organizationally structured under the West Virginia Department of Administration within the executive branch of state government. In addition to the Purchasing Director's office, the division has three sections: Acquisitions and Contract Administration, Communication and Technical Services, and Program Services. Additionally, the Purchasing Division maintains a legal office to assist with various legal and legislative issues.

### *Acquisitions and Contract Administration Section*

The Acquisitions and Contract Administration Section is responsible for the procurement of products and services for state agencies expected to exceed \$25,000. It is committed to providing excellent customer service to agencies and vendors by buying quality commodities and services at the lowest cost to taxpayers.

The Contract Management Unit within this section assists with the oversight of contracts and the inspection of purchasing documents to ensure compliance with state laws, regulations and procedures. This section strives to provide quality services in the most efficient manner.

### *Communication and Technical Services Section*

The Communication and Technical Services Section is responsible for a variety of services offered to agency purchasers, the vendor community and the general public. It focuses on technology, communication, training, and vendor registration and relations, as well as administrative functions, including records imaging and retention, purchase order encumbrance and bid receipt.

The Communication and Professional Development Unit provides information and training services related to the division and the individual programs which are administered by the Division. Conferences, online resource training modules, in-house workshop sessions, webinars and the West Virginia Procurement Certification Program are offered throughout the year to provide guidance and opportunities to our agency procurement officers.

The Technical Services Unit maintains all technical applications administered by the division as well as oversees our networking services and the division's internet and intranet sites. In addition, this unit oversees the vendor registration and relations program.

The Support Services Unit oversees the administrative functions previously outlined.

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## *Program Services Section*

The Program Services Section is responsible for several programs administered by the Purchasing Division. The Travel Management Unit offers guidance to state business travelers and oversees various statewide contracts for travel-related services. This unit communicates with agency travel coordinators on various issues relating to services.

The Fixed Assets Unit maintains the state's inventory of property and ensures the agencies certify their state-owned property on an annual basis.

The Surplus Property Unit manages the state and federal programs for property no longer needed within the respective governments. As part of this program, state property that is not sold to eligible organizations is made available to the public through various mechanisms, including absolute auctions, daily retail sales, online sales and statewide sealed bids.

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## **The Staff of the West Virginia Purchasing Division**

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The Purchasing Division staff, pictured below in its annual photo, works closely with all state agency designated procurement officers and the many vendors that provide the commodities and services needed to maintain and operate state programs and services. We are here to serve you!



**Pictured back row (l-r):** Mitzie Howard, Greg Clay, John Estep, and Mark Atkins;

**2<sup>nd</sup> row (l-r):** Bob Ross, Crystal Hustead, Guy Nisbet, Melissa Pettrey, and Mark Totten;

**3<sup>rd</sup> row (l-r):** Brittany Ingraham, Josh Hager, Krista Chadband, and Dianna Doss;

**4<sup>th</sup> row (l-r):** Jessica S. Chambers, Tara Lyle, Beverly Toler, Linda Harper, and Terra Oliver;

**5<sup>th</sup> row (l-r):** Jessica Riley, Melissa Skiles, Courtney Johnson, and Lu Anne Cottrill;

**Front row (l-r):** Jimmy Meadows, Frank Whittaker, Mike Sheets, Jennifer Fields, and Samantha Knapp.

**Missing from photo:** Jessica L. Chambers, Elizabeth Cooper, Shane Hall, Alisha Pettit, and Dusty Smith.

# Contact Reference Guide

	<u>Telephone No.</u>	<u>Location</u>
<b>Director's Office</b>		
Mike Sheets, Purchasing Director	(304) 558-0492	Main Office
James Meadows, General Counsel	(304) 558-8806	Main Office
Jennifer Fields, Administrative Secretary	(304) 558-3568	Main Office
<b>Acquisitions and Contract Administration Section</b>		
Frank Whittaker, Assistant Director	(304) 558-2316	Main Office
<i>Acquisitions Unit</i>		
Linda Harper, Buyer Supervisor	(304) 558-0468	Main Office
Tara Lyle, Buyer Supervisor	(304) 558-2544	Main Office
Guy Nisbet, Buyer Supervisor	(304) 558-2596	Main Office
Mark Atkins, Senior Buyer	(304) 558-2307	Main Office
Jessica S. Chambers, Senior Buyer	(304) 558-0246	Main Office
John Estep, Buyer	(304) 558-2566	Main Office
Josh Hager, Senior Buyer	(304) 558-8801	Main Office
Crystal Husted, Senior Buyer	(304) 558-2402	Main Office
Brittany Ingraham, Senior Buyer	(304) 558-0067	Main Office
Melissa Pettrey, Senior Buyer	(304) 558-0094	Main Office
Dusty Smith, Buyer	(304) 558-2063	Main Office
<i>Contract Management Unit</i>		
Greg Clay, Contract Manager	(304) 558-5780	Main Office
Shane Hall, Inspector III	(304) 558-8803	Main Office
Melissa Skiles, Inspector I	(304) 558-3488	Main Office
Mitzie Howard, Inspector II	(304) 558-2037	Main Office
<b>Communication and Technical Services Section</b>		
Samantha Knapp, Acting Assistant Director	(304) 558-7022	Main Office
<i>Communication and Professional Development Unit</i>		
Samantha Knapp, Manager	(304) 558-7022	Main Office
Jessica L. Chambers, Public Information Specialist	(304) 558-2315	Main Office
Courtney Johnson, Public Information Specialist	(304) 558-4213	Main Office
<i>Technical Services Unit</i>		
Mark Totten, Manager	(304) 558-7839	Main Office
Alisha Pettit, Programmer	(304) 558-0247	Main Office
Terra Oliver, Vendor Registration Coordinator	(304) 558-2311	Main Office
Lu Anne Cottrill, Quality Control and Transparency Specialist	(304) 558-3486	Main Office
<i>Support Services</i>		
Beverly Toler, Supervisor	(304) 558-2336	Main Office
<b>Program Services Section</b>		
Elizabeth Cooper, Assistant Director	(304) 766-2626	Dunbar
<i>Fixed Assets Management Unit</i>		
Sherry Fewell, Fixed Assets Coordinator	(304) 356-2424	Dunbar
<i>Surplus Property Unit</i>		
Elizabeth Cooper, Manager	(304) 766-2626	Dunbar
Doug Elkins, Assistant Manager	(304) 356-2428	Dunbar
<i>Travel Management Unit</i>	(304) 766-2626	Dunbar

# Purchasing Division Highlights

## Purchasing Division Responds to COVID-19 Pandemic, Makes Changes to Processes, and Issues Guidance to Ensure Processing Continues

On March 20, 2020, Gov. Jim Justice issued a stay-at-home order, followed by multiple executive orders limiting group sizes, closing schools, limiting out-of-state and international travel, and mandating mask wearing statewide. Small businesses were closed while larger businesses had to limit traffic in its doors followed by a one-in, one-out basis.

Through the entirety of the COVID-19 pandemic, the Purchasing Division had to take its own precautions to ensure the safety and well-being of its staff, agency customers, and vendors doing business with the state of West Virginia, all the while continuing to process procurements in a timely manner and maintaining the integrity of the process.

For more than six weeks, the Division had limited operations, with some staff members working entirely from home while others alternated days in and out of the office. To share important information related to changes in its operations and other guidance, the Purchasing Division created a *COVID-19 Updates* page on its website. Information posted on this page included, but was not limited to, the Purchasing Division's emergency purchasing procedures, the state employee travel ban issued by the Governor's Office, a temporary pre-bid meeting policy, guidance on Purchasing Affidavits when a notary could not be obtained, and login information for the Purchasing Division's scheduled public bid openings, which were streamed live online.

As part of its response to the COVID-19 pandemic, rules and regulations were also waived for any procurement related directly to COVID-19. Agencies were asked to document their file for those purchases so that Purchasing Division inspectors could easily identify those purchases when completing future agency audits. All other purchases were handled in accordance with normal purchasing procedures.

Despite the significant impact the pandemic had on many areas of state government, work did not slow down for the Purchasing Division. In fact, the Division continued to process purchases at near normal levels. They accepted paper and electronic bids and continued to work with the Attorney General's Office to review contracts as-to-form.

To follow the lead of Gov. Justice and the tax deadline, the Purchasing Division pushed back its deadline for the annual state agency inventory certification by three months to account for the time state agency offices were closed, and to comply with social distancing guidelines, the annual Agency Purchasing Conference was postponed to 2021.

The Purchasing Division continued to monitor the situation, as well as recommendations from federal, state, and local government officials, and were pleased that purchases continued to be processed both at the agency and formal levels.

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## Administrative Secretary Debbie Watkins Retires

Since 1986, Debbie Watkins was a familiar face at the Purchasing Division, but after more than 33 years with the Division (and 37 years with the state), she retired from state government.

In July 1986, Watkins accepted a position with the Purchasing Division as a Secretary 1. In this role, she served as a receptionist and performed various typing projects for the buyers.

In August 1990, a reorganization within the Purchasing Division shifted Watkins' duties to that of secretary for then-Assistant Director Dave Tincher. She later transitioned to the position of Administrative Secretary in May 1997 when he was named Director of Purchasing, where she finished out her years of service.

Over the last 30 years with the Division, Watkins was responsible for numerous administrative duties such as human resources, travel, payroll, procurement, correspondence, and the scheduling of meetings, travel, and other logistics for the director and Purchasing Division staff.



**Debbie Watkins, a Purchasing Division employee for more than 30 years (and a state employee for 37 years), retired from state government. Watkins had served as the Administrative Secretary for the Purchasing Director's Office since 1997.**

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## Purchasing Division Employee Named Department of Administration 2019 Employee of the Year



**Jessica S. Chambers, a senior buyer for the West Virginia Purchasing Division, accepts a plaque from Department of Administration Cabinet Secretary Allan McVey recognizing her as the Department's 2019 Employee of the Year.**

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Jessica S. Chambers, a senior buyer for the Purchasing Division, was selected as the Department of Administration's *Employee of the Year* for 2019.

Chambers, a state employee for more than 20 years, reviews and solicits agency procurements for the Office of Technology and various boards and commissions; reviews specifications and supporting documentation to ensure purchases can withstand legal scrutiny; and presents procurement-related trainings to other state employees.

Chambers was among the *Employee of the Month* recipients who were eligible for the award. Each monthly recipient received a special gift at the ceremony, which was followed by a luncheon for all Department of Administration employees. Cabinet Secretary Allan McVey extended his appreciation to those selected for this coveted monthly

recognition.

## New Business Intelligence Report Assists Agencies in Identifying Vendors Based on Commodity Code



The Purchasing Division announced this fiscal year that, in conjunction with *WV*OASIS, it developed a report within Business Intelligence to allow agencies to search for potential vendors based on commodity code. The goal of the report was to expand the agency’s competitive reach to a greater number of vendors when soliciting goods and services. The report, WV-FIN-VN-010 (Vendors by Commodity), allows state agencies to search *WV*OASIS’s vendor table using United Nations Standard Products and Services Code (UNSPSC) commodity codes to determine which vendors offer the needed goods and/or services.

The UNSPSC codes are part of a library of information collected from vendors during the Purchasing Division’s registration process. Procurement officers were encouraged to search **UNSPSC.org** for appropriate codes describing their needed commodities or services and become familiar with the classification codes for their agency’s unique needs. The report matches the desired UNSPSC codes with vendor information already in the *WV*OASIS VCUST table, which can then be exported into spreadsheet format for further use.

To run this report for a specific commodity code, procurement officers must open WV-FIN-VN-010 within Business Intelligence and click “Refresh All.” Upon entering the commodity’s eight-digit code and the commodity’s two-digit “segment” number (which is the first two digits of the commodity code), a report identifies all vendors from VCUST who have indicated that they can provide the commodity based on that commodity code or one with a similar code family to what the agency is seeking. The resulting commodity report includes vendors’ ordering addresses, an email address for one or more vendor representatives, and phone numbers for the business.

## National Procurement Institute Recognizes Purchasing Division for Excellence in Procurement

The Purchasing Division earned the prestigious 24<sup>th</sup> Annual Achievement of Excellence in Procurement® (AEP) for 2019 from the National Procurement Institute, Inc. (NPI). This is the seventh consecutive year the Purchasing Division has received the AEP award from the NPI.



“This award means the Purchasing Division is nationally recognized for its professionalism, innovation, and ethical practices. The staff excels at what they do, and it shows,” said Department of Administration Cabinet Secretary Allan McVey. “This achievement is not easy to attain, with only 202 successful applicants nationwide this year. Applying for this award requires a dedicated and knowledgeable leadership and staff that strictly adheres to statutory requirements while also continu-

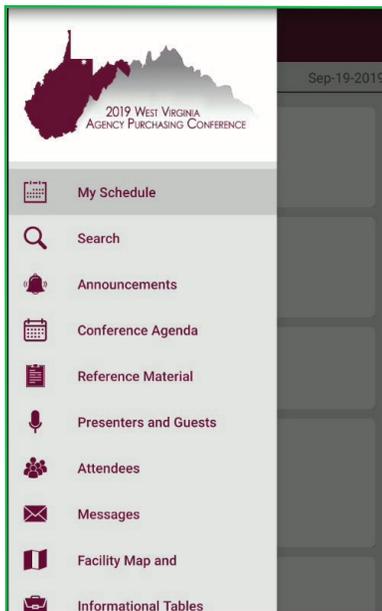
ally seeking innovative ways to improve procurement processes.”

The AEP award, which is a national program used to benchmark organizational excellence in procurement, is earned by public and nonprofit organizations obtaining a high application score based on standardized criteria designed to measure best procurement practices. The AEP is awarded annually to recognize innovation, professionalism, e-procurement, productivity, and leadership in the procurement function and encourages the development of excellence as well as continued organizational improvement.

The Purchasing Division was the only governmental agency in West Virginia and one of only four state agencies in the United States and Canada to receive this award this fiscal year.

## Purchasing Division Goes Green with Conference App

The Purchasing Division utilized a new mobile app for its 2019 Agency Purchasing Conference as part of its efforts to go green and cut down on waste. The mobile app, called Grupio, replaced the printed conference directory previously offered but contained the same information, including the conference agenda, a synopsis for each class, an attendee listing, and more.



In addition to the features found in the previously printed directory, the mobile app also provided attendees with their personalized schedules, the ability to take notes directly within the app, access to PowerPoints and other handouts, and a way to contact a conference coordinator directly with any concerns they had while at the event.

“We were excited for the new possibilities the Grupio app provided our 2019 conference attendees,” said Acting Assistant Purchasing Director Samantha Knapp. “Not only did the app support the Purchasing Division’s mission to go green, but we truly believe these features enhanced the

**The Purchasing Division introduced a new mobile application for participants as part of its 2019 Agency Purchasing Conference. The app, which was part of the Purchasing Division’s “green initiative,” cut down on the cost of printing while still offering the most important information to attendees.**

attendee experience, as indicated by our conference feedback.”

To help attendees become familiar with the app, the Purchasing Division created a step-by-step video that explained all features included within the app. The video was emailed to registered attendees prior to the conference.

## Multi-Agency Open House Offered as Part of Purchasing Division Vendor Outreach Initiative

The Purchasing Division tried a different approach to vendor outreach this fiscal year, and the efforts

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were well received by all involved. Held on October 3, 2019, the Division organized a Vendor Open House to give the vendor community the opportunity to meet with representatives from several state agencies in one location. The event was held in the Capitol Room of Building 7, with informational sessions for vendors held in the adjoining Regents Room.

Approximately 185 vendors attended the event, with more than half attending one of the three 30-minute informational sessions to learn more about how to do business with the state. In addition to the Purchasing Division, other agencies represented included the Tax Department, the Secretary of State's Office, the Office of Technology, the Department of Environmental Protection, the Department of Transportation, the Finance Division, the Department of Health and Human Resources, the State Treasurer's Office, and Surplus Property.

"In years past, we have conducted a *Doing Business with West Virginia* vendor webinar," said Acting Assistant Purchasing Director Samantha Knapp. "This year, we decided to change it up to see what kind of response we would get. The energy in the room and the discussions held between vendors and state agencies was even better than we had hoped for. We look forward to what the future holds for this event."

## Another Annual Minority Business Expo in the Books for the Purchasing Division

The Purchasing Division continued its outreach efforts to prospective and current vendors by participating in the 6<sup>th</sup> Annual Minority Business Expo (MBExpo) held at the Charleston Coliseum and Convention Center on October 22, 2019. The event was coordinated by the Herbert Henderson Office of Minority Affairs (HHOMA).

The MBExpo is offered each year to provide an opportunity for minority business owners and entrepreneurs to network and receive free education on how to further their businesses. During the event, Vendor Registration Coordinator Gail Montantez and Senior Buyer April Battle maintained an informational booth where attendees could learn how to register with the Purchasing Division, view state solicitations, submit a bid, and ask questions.



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**Purchasing Division employees Gail Montantez and April Battle discuss vendor registration procedures with an attendee at the 2019 Minority Business Expo. The Expo was held for minority business owners to learn how to further their businesses.**

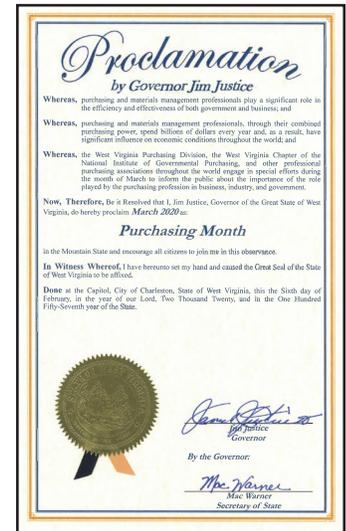
Technical Services Manager Mark Totten also presented a general session on various laws and rules governing the state purchasing process. In addition to the information shared at the informational booth, Totten also discussed how to apply as a small, woman-, and/or minority-owned business.

The Purchasing Division is pleased to participate in this event each year.

## Gov. Justice Declares March 2020 as Purchasing Month in West Virginia

For the fourth consecutive year, Gov. Jim Justice proclaimed March as “Purchasing Month” throughout the state of West Virginia. Purchasing Month has been recognized in West Virginia since 2011 and honors the integrity and professionalism of all state purchasers who are entrusted with the spending of tax dollars.

This 2020 proclamation was part of an annual nationwide recognition initiated by the National Institute of Governmental Purchasing. The Purchasing Month proclamation highlighted the initiatives which develop, support and promote public procurement practitioners through their educational and research programs.



## Purchasing Division Saves the State Money by Driving Down Prices on Statewide and Local Government Contracts

The Purchasing Division realized many savings by driving down prices during Fiscal Year 2020. During this fiscal year, the Purchasing Division statewide contracts buyer entered into a cooperative contract with NASPO for vehicle rental services. During that process, Hertz, one of the contract holders, offered a steeper discount than what was offered on the existing contract. This led to a best and final offer between Hertz and Enterprise, ultimately driving down the overall rental vehicle prices, saving the state money.

The Purchasing Division also bid and awarded a contract for school bus tires on behalf of political subdivisions during Fiscal Year 2020. Three of the tires contained on that contract were already a part of the Purchasing Division’s statewide contract for tires for state agencies. The vendor honored the quoted price of the contract for local governments to that of the statewide contract by agreeing to a change order, saving state agencies nearly \$100 per tire on this heavily-utilized contract.

## State-Employed Attorneys Obtain CLEs as Part of Trainings Offered by the Purchasing Division

As part of its training program, the Division continued to offer Continuing Legal Education (CLE) credits for both its mandatory training on the purchasing process and Purchasing Card rules for high-level state officials as well as its Legal Seminar for State Procurement Practices for state-employed attorneys. The single cost to apply for CLE credits was covered by the Purchasing Division. Participating attorneys realized the savings, all while gaining knowledge on the state purchasing process.

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## From Hydraulic Excavators to Bike Trails...

# A Constant Variety of Unique Purchases Make their Way through the West Virginia Purchasing Division

The Purchasing Division is responsible for procuring goods and services on behalf of all state agencies in accordance with W. Va. Code § 5A-3, but some of those purchases are as unique as the programs and services that the agencies administer. Below are three examples of contracts issued during Fiscal Year 2020 that were a little different from the norm. Due to the unusual and complex characteristics of the solicitations, the Purchasing Division buyers worked closely with agency procurement officers to ensure the specifications were written competitively to allow for adequate vendor bids.

### Purchasing Division Assists Highways with Purchase of Equipment as Part of Governor's New Program

Gov. Jim Justice debuted a massive addition to the West Virginia Division of Highways' (DOH) road maintenance equipment fleet this fiscal year during an unveiling event in August at the DOH Equipment Division state offices in Buckhannon. The event showcased dozens of new tandem and single-axle dump trucks, mowers, several Gradall hydraulic excavators, and more. These were just a portion of the nearly 280 machines and vehicles set to be distributed to all 10 DOH Districts in all 55 counties across West Virginia.

It took a team of procurement officers from both the Purchasing Division and the Division of Highways to bring it to fruition.

"We drive on our roads every day, so it was exciting for the Purchasing Division to be part of the effort to get them repaired for the safety of both our citizens and visitors to the state," said Assistant Purchasing Director Frank Whittaker. "This project will pay big dividends to the state for years to come."

Nearly 300 pieces of machinery and equipment were purchased, including new Gradalls – two for every DOH District – to enhance road maintenance capabilities in every county statewide as part of Gov. Justice's directive to make fixing West Virginia's back roads the DOH's top priority.



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The Gradall hydraulic excavators shown above were obtained as part of a collaborative effort between the Purchasing Division and the WV Division of Highways (DOH). The items were acquired for the DOH Equipment Division office in Buckhannon as part of Gov. Justice's new road maintenance program. *Photo Courtesy of the Governor's Office.*

### Purchasing Division Assists in Purchase of New Bike Trail at Twin Falls State Park

At Twin Falls State Park, people social distanced but still enjoyed nearly 30 miles of hiking trails that cover 4,000 acres and wind their way around old farm sites all over the park. A recent solicitation by the Purchasing Division added more than two miles of bike trails to the park's offerings. The project was

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awarded to Steorts Home Design and Construction of Hurricane.

The project includes a state-of-the-art bicycle trail for both beginner and intermediate level cyclists. The trail is required to meet criteria that will allow Twin Falls to host a National Interscholastic Cycling Association bicycle event. It will feature two bridges and an average trail grade of 10% with the occasional 15% grade. The trail's surface must be firm enough to prevent a bicycle tire from sinking more than ½ inch into the ground.

“Twin Falls already attracts people who love both hiking and history, and the views are hard to beat. We hope this project will introduce its beauty to a whole new group of tourists,” said Buyer Supervisor Guy Nisbet.



**The Purchasing Division worked with Twin Falls State Park to procure services to build a bicycle trail for beginner and intermediate-level cyclists. This was just one of the unique purchases processed by the Purchasing Division this fiscal year. Photo Courtesy of the Tracy Toler.**

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## **Purchasing Division Plays Role in New Wildlife Education Center**

A couple's dream of a new wildlife education center is about to come true, with the help of the Purchasing Division. The late Claudia Workman was an amateur naturalist who lived just across the road from the Forks of Coal State Natural Area where the center will be built. Claudia's husband, Jack, donated the 105-acre tract to the West Virginia Division of Natural Resources (DNR) shortly before he died, with a provision that a nature education center be built on the grounds near Alum Creek.

The Claudia L. Workman Wildlife Education Center is a 7,000-square-foot building that will feature exhibits dedicated to the area's wildlife and ecology, as well as a classroom capable of accommodating 50 to 60 people.



**The Claudia L. Workman Wildlife Education Center, an addition to the Forks of Coal State Natural Area, will feature exhibits dedicated to the area's wildlife and ecology. The Center will include 7,000 square feet of space, including a classroom to host groups. Photo courtesy of Forks of Coal State Natural Area Foundation.**

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“It's been an honor to help bring Claudia Workman's vision<sup>36</sup> to life, and her legacy as well as that of her husband will live on through this beautiful building,” said Buyer Supervisor Guy Nisbet.

The center will be built with money from several sources, including interest from the DNR's Kanawha River Endowment Fund, revenue from oil and gas royalty payments, and donations from the Forks of Coal State Natural Area Foundation.

# Program Accomplishments

## Acquisitions and Contract Administration Section

*The Acquisitions and Contract Administration Section is responsible for the procurement of products and services for state agencies in excess of \$25,000. It is committed to providing good customer service to agencies and vendors in an efficient and ethical manner that will reduce costs, maximize competition, promote good customer and vendor relations, protect public funds, ensure compliance with W. Va. Code and preserve the integrity in buying the best quality commodities at the lowest cost to taxpayers. Additionally, this Section oversees the Contract Management Unit, which includes Inspection Services.*

### Purchasing Division Awards Contract for Fire Trucks as Part of Local Governments Initiative

The city of Charleston added a fire truck to its fleet this fiscal year, thanks to a new contract entered into by the Purchasing Division on behalf of West Virginia's political subdivisions. City officials contacted the Purchasing Division for help when they became aware of a contract for fire trucks through the National Association of State Procurement Officials (NASPO). Purchasing Division Senior Buyer Mark Atkins worked with NASPO to enter into a cooperative agreement with Pierce Manufacturing Inc.



“We’re here to help political subdivisions drive down prices,” said Atkins. “It is our goal to assist political subdivisions by entering into these cooperative contracts to help them financially while providing an overall benefit to the state.”

The contract became effective September 1, 2019.

### Inspections Unit Works with Division of Highways to Identify Procurements Needing Open-End Contracts

The Contract Management Unit plays a vital role in the Purchasing Division's efforts to ensure that state agencies are following all state laws, rules, and procedures. One of those laws prohibits stringing, which is issuing a series of requisitions or dividing or planning procurements to circumvent the \$25,000 threshold.

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Inspectors are responsible for reviewing purchasing documents for findings of stringing and other violations, including failure to bid at the delegated level. During a strategic sourcing meeting with the Division of Highways in 2019, the inspectors discussed ways to reduce that agency's findings.

“We suggested open-end contracts for all districts to use. If they couldn't do an open-end contract, then they could use templates such as specifications from contracts that have already been awarded,” said Contracts Manager Greg Clay. “Using templates can prevent future problems.”

Open-end contracts were successfully developed for auto parts, hydraulic hoses and components, truck parts, and propane. Instances of stringing had already dropped from 56 in Fiscal Year 2016 to 37 in Fiscal Year 2018. Clay expects that number to drop even further when the Division of Highways is inspected again in September 2021 due to the open-end contracts.

“Not only does proper use of open-end contracts reduce stringing findings, they also reduce the other findings such as failure to bid, use of affidavits, check vendor registration, etc. due to having that open-end contract to use for commodities under the \$25,000 threshold,” Clay said. “This was a team effort from both the Division of Highways and the Purchasing Division to get this accomplished.”

## **New Statewide Contracts Issued by the Purchasing Division Prove Beneficial to State Agencies**

The Purchasing Division awarded several new statewide contracts during Fiscal Year 2020. These contracts, which are mandatory for use by state agencies, are noted below.

### **Multiple Contracts Issued for Heavy Trucks and Motor Vehicles**

The Purchasing Division awarded new statewide contracts during Fiscal Year 2020 for heavy trucks, including Classes 20-39 motor vehicles, and various other motor vehicles, including 2020 cars, trucks, sport utility vehicles, and other vehicles of various makes and models. The contracts, MVTRUCK20 and MV20, became effective October 15, 2019, and November 1, 2019, respectively.

The contracts for MVTRUCK20, dependent on weight and class, were awarded to the respective vendors listed below:

- MVTRUCK20A Stephens Auto Center
- MVTRUCK20B Matheny Motor Truck Co. dba Matheny Ford, LLC
- MVTRUCK20C Matheny Motor Truck Co.
- MVTRUCK20D Whiteside of St. Clairsville

The MV20 contracts were awarded by the Purchasing Division to:

- MV20A Stephens Auto Center
- MV20B Whiteside of St. Clairsville, Inc.
- MV20C Matheny Motor Truck Co.
- MV20D Thornhill Superstore, Inc.

- MV20E Thornhill Group, Inc.

These contracts for motor vehicles, along with all statewide contracts maintained by the Purchasing Division, can be viewed at [www.state.wv.us/admin/purchase/swc](http://www.state.wv.us/admin/purchase/swc).

### **Other Contracts Issued During Fiscal Year 2020 Cover Variety of Goods and Services**

In addition to the aforementioned statewide contracts, the Purchasing Division also issued contracts for unique agency projects, including but not limited to biking/pedestrian trails, boat access sites, fish hatchery upgrades, many construction projects, and much more. On behalf of the National Guard, the Purchasing Division also solicited and awarded a contract for renovations to the West Virginia University Institute of Technology for the Mountaineer Challenge Academy South opening. This project will have a lasting impact on many West Virginians for years to come.

## **Contract Management Unit Responsible for Reviewing Procurement Transactions and Providing Training to State Agencies to Ensure Compliance**

Throughout the fiscal year, the Purchasing Division inspection staff members travel throughout the state to review purchasing records primarily for agency delegated purchasing transactions, which are purchases costing \$25,000 or less.

### **Fiscal Year Inspection Statistics**

During this fiscal year, the inspectors within the Contract Management Unit opened and completed **53** individual inspections of various state agencies and related programs. This encompassed more than **179,658** transactions of which **7,474** (approximately **4.2** percent) were closely scrutinized. Of these transactions reviewed more closely, **811** were determined to have a negative finding (approximately **10.8** percent).

Below are percentages based on the total number of transactions for inspections made during Fiscal Year 2020:

Finding	Percentage of Inspected Transactions
Stringing	0.40%
Failure to use Statewide Contracts	1.04%
Failure to use Internal Resources	0.067%
Failure to bid at delegated level	4.9%
Failure to check/retain vendor registration	.27%

Failure to verify Unemployment Compensation and Workers' Compensation	3.9%
Failure to obtain <i>Purchasing Affidavit</i>	3.2%
Failure to issue a purchase order	1.3%
Failure to affix an asset identification tag	0.01%
Failure to include the <i>Non-Conflict of Interest</i> form	1.8%
Miscellaneous findings	0.32%

## Purchasing Reports to Legislature on Stringing, Direct Award Purchases and Recycled Products

Each January and July, the Purchasing Division is required to electronically submit a semi-annual Stringing Report to the West Virginia Legislature, in accordance with W. Va. Code § 5A-3-10(b), through the Legislature's database to the Joint Committee on Government and Finance. Additionally, the Purchasing Division is required to submit to the Legislature an annual report on all direct award purchases, a semi-annual report on eligible organization purchases of surplus property and an annual report of the procurement of recycled products.

According to the *Purchasing Division Procedures Handbook*, stringing is defined as "issuing a series of requisitions or dividing or planning procurements to circumvent the twenty-five thousand dollar threshold or otherwise avoid the use of sealed bids." During the year, Purchasing Division inspection staff members review purchasing records, primarily for agency delegated purchasing transactions, to ensure those transactions are completed in accordance with the Purchasing Division's procedures. Based on their inspections and findings, incidents of stringing occurred in **0.40%** of inspected transactions during Fiscal Year 2020.

State agencies are strongly encouraged to continuously monitor their expenditures with vendors to ensure that the total amount spent with a given vendor, in any 12 month period, of same or similar commodities or services does not exceed a bid threshold without the proper level of documentation and bidding. This can be done through reporting in *wvOASIS* Business Intelligence using the reports WV-FIN-AP-026 (Comprehensive Statewide Payment Detail by Vendor) or WV-FIN-AP-055I by inserting the agency's department number for total spend for the service date range, or through *wvOASIS*'s Vendor Transaction History database. The Purchasing Division encourages state agencies to procure open-ended contracts for commodities and/or services that are used often to eliminate the potential for stringing.

Additional reports required to be submitted to the Legislature are noted below:

- A report is required each July that provides a list of all solicitations submitted for direct award commodities or services, noting the outcome of the transaction. This requirement is in accordance with W. Va. Code § 5A-3-10(c).

- The report of all commodities sold to eligible organizations through the West Virginia State Agency for Surplus Property is due twice annually, in accordance with W. Va. Code § 5A-3-45.
- The Comprehensive Procurement of Recycled Products Program and its annual report is due at the end of January of each year, in accordance with W. Va. Code § 22-15A-21.

All of the reports required to be submitted to the Legislature may be found on the Legislature’s website under the Audits/Reports section in the State Agency Reports subsection. To view these reports, visit [www.legis.state.wv.us](http://www.legis.state.wv.us).

## Communication and Technical Services Section

*The Communication and Technical Services Section is responsible for a variety of programs and services offered to agency purchasers, the business community and the general public. This Section focuses on technology, communication, training, professional development and administrative functions, such as vendor registration, records imaging, purchase order encumbrance, bid receipt and bid package distribution. The Communication and Professional Development Unit oversees communication, professional development and a variety of training offerings targeting agency purchasers and vendors. The Technical Services Unit maintains various automated applications, networking services and the Division’s website. The Support Services Unit manages the administrative functions mentioned above.*

## West Virginia Purchasing Bulletin

The *West Virginia Purchasing Bulletin*, which contains bid opportunities for solicitations exceeding \$10,000 (although agencies can use the *Purchasing Bulletin* to post solicitations under that amount), is posted on the Vendor Self Service (VSS) portal of *wvOASIS* at [wvOASIS.gov](http://wvOASIS.gov). Vendors may create an account through the VSS or may use the public view access to view and, if desired, download the solicitations through this portal.

Additionally, vendors may request the Purchasing Division mail solicitations directly to them, although the requests are becoming fewer due to the ability of vendors to download the solicitations online. During Fiscal Year 2020, the Purchasing Division mailed **10** solicitation packages to vendors upon request.

## Vendor Registration

The Purchasing Division’s Vendor Registration Program continues to streamline the tools within the system for the benefit of the vendor community and state agencies. More options are available than ever before for vendors pursuing business with the state and for state agency procurement employees contributing to the process.

In Fiscal Year 2020, the Purchasing Division created and/or approved a total of **127** Vendor/Customer Creation (VCC) documents and **4,315** Vendor/Customer Maintenance (VCM) documents in *wvOASIS*

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for a total of **4,442** new or modified vendor registration documents processed. These totals include documents reviewed by the Purchasing Division through system workflow from vendors using the Vendor Self Service (VSS) portal on *wvOASIS.gov*.

In addition to the values represented in the aforementioned *wvOASIS* document and registration counts, additional vendor records are reviewed but not modified in workflow by the Technical Services Unit from VSS-generated VCM documents in conjunction with the West Virginia Finance Division. This dual administration of the *wvOASIS* vendor/customer file supports each agency's mission, including the facilitation of state agency order and expenditure transactions.

A total of **609** *Vendor Registration and Disclosure Statement and Small, Women-, and Minority-owned Business Certification* documents, the paper registration method for vendors not self-registering online, were processed during Fiscal Year 2020.

A total of **3,356** paid registrations were received via multiple payment methods during Fiscal Year 2020, with revenue generating **\$419,500.00**. The vendor registration annual fee is **\$125**.

### **Small, Women-, and Minority-Owned Business Certification**

The West Virginia Purchasing Division incorporates the Small, Women-, and Minority-Owned Business (SWAM) Certification application as part of the Vendor Registration and Disclosure Statement, in accordance with W. Va. Code § 5A-3-59 and the W. Va. § 148 C.S.R. 2-1. During Fiscal Year 2020, a total of **609** vendors were certified or updated their certifications through the Purchasing Division as SWAM businesses.

## **Purchase Order Encumbrance**

All purchase orders and subsequent change orders with a fixed amount are placed in the Purchase Order Encumbrance system. A total of **1,076** new contracts/Central Delivery Orders and **989** change orders were encumbered by the Purchasing Division during Fiscal Year 2020.

## **Records and Imaging**

All documents relating to Fiscal Year 2020 transactions were scanned and managed with the division's imaging system. The total number of pages scanned for the Purchasing Division, which contained purchase orders, change orders, vendor registration forms, renewals and deposits and all supporting documentation, was **236,122** for Fiscal Year 2020.

## **Accessibility to Public Records**

The Purchasing Division maintains the official file for contracts processed under its authority. The official file contains all documentation and correspondence in the possession of the Purchasing Division as it relates to the specific contract requested. All records of the Purchasing Division are available to be

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reviewed at no charge and/or copied during normal business hours, Monday through Friday, 8:15 a.m. to 4:30 p.m., holidays and weekends excluded.

The Communication and Technical Services Section oversees the requests for public records through the Freedom of Information Act (FOIA) process. All FOIA requests received are properly entered into the Secretary of State's FOIA database, in accordance with W. Va. 153 C.S.R. 52.

During Fiscal Year 2020, the Purchasing Division responded to a total of 51 FOIA requests.

## Receipt of Incoming Sealed Bids

The Support Services Unit is responsible for receiving paper sealed bids from vendors who are participating in the competitive bid process. During Fiscal Year 2020, there were 771 paper bids received by the Purchasing Division. Through *wv*OASIS, vendors may also submit electronic bids to the Purchasing Division. There was a total of 1,262 electronic bids received through *wv*OASIS during this fiscal year. The total number of all incoming paper and electronic sealed bids for Fiscal Year 2020 was 2,033.

## Despite Pandemic, Purchasing Division Continues its Participation in the Governor's Internship Program

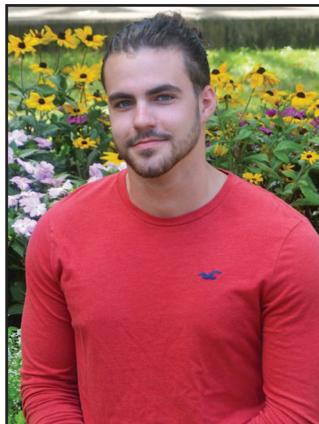
During Fiscal Year 2020, the Purchasing Division was pleased to host two summer interns from the Governor's Internship Program, despite the challenges it faced early in the COVID-19 pandemic.

Zach Wynn, a student at Marshall University pursuing a major in computer science with a minor in mathematics, was a third-year technical

intern for the Division. When asked why he wanted to return each summer, he responded, "I want to come back every year because of how much I am able to learn from everyone around the office."

As the technical intern, Wynn was responsible for making website updates as well as buying technical equipment for the office, and everything in between.

Braden Phillips, a student at West Virginia University and marketing major, served as the communication intern within the Purchasing Division's Communications and Technical Services section. Phillips gained hands-on experience by writing and editing articles for various publications produced by the Purchasing Division's communication team, taking photos for various projects, and completing various other special



Pictured to the far left is Zach Wynn, a third year technical intern for the Purchasing Division, and Braden Phillips (on the right), communication intern. Both joined the Purchasing Division during the summer of 2020 as part of the Governor's Internship Program.

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projects.

Phillips said he was very excited to receive hands on experience at a young age and develop his understanding of working in a professional setting. When asked what he was most looking forward to, he said, “I am honored to have this opportunity and excited to bring my skillset to the office.”

## Professional Development and Training

The Purchasing Division prides itself on its comprehensive training program and continually strives to educate agency procurement officers, vendors, and the public in the most meaningful ways possible. While Fiscal Year 2020 saw a lot of uncertainty for the economy and world as the COVID-19 pandemic took center stage, the Purchasing Division was able to flawlessly transition to an all-virtual training program thanks to its foundational use of technology prior to the pandemic.

While some initiatives advanced thanks to the unexpected work-from-home mandate issued by Gov. Jim Justice, others were postponed or canceled due to federal, state, and local social distancing and travel guidelines. Despite the many challenges faced this fiscal year, the laws, rules and procedures continued to be the backbone of the state procurement process, and having state procurement staff who are knowledgeable and informed of the process remained our top priority.

The Purchasing Division manages a variety of training platforms, many of which are free and easily accessible, to educate agency purchasers, vendors, and political subdivisions on the laws, rules, and procedures which govern the state purchasing process. From in-person workshops and webinars to online training modules, conferences, and other seminars, the Purchasing Division provides ample opportunities for state employees to obtain the information needed to perform the procurement function for their agencies and/or for vendors and local government entities to participate in the procurement process.

These offerings allow participants who are required to procure under the Purchasing Division’s authority, as well as those whose participation in the process is optional (i.e. political subdivisions and vendors) to learn the procurement laws, rules and processes outlined in W. Va. Code 5A-3, 148 C.S.R. 1 and the *Purchasing Division Procedures Handbook*.

Below are some of the ongoing improvements and activities that the Purchasing Division achieved during this fiscal year to meet the needs of agencies, vendors, political subdivisions and Purchasing Division staff.

### **2019 Agency Purchasing Conference**

From September 17-20, 2019, more than **260** agency purchasers gathered at Lakeview Resort in Morgantown, WV, for the Agency Purchasing Conference. As with previous years, the Purchasing Division offered six concurrent sessions with more than 30 purchasing-related topics including new topics on the schedule, such as *Payment Process*, *Critical Thinking in Procurement*, and *Managing Your Vendor*.

FBI Supervisory Special Agent Kyle Scheatzle paid a special visit to the conference’s evening banquet and spoke to attendees about red flags of fraud and corruption in the public sector.

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Following the conclusion of each Purchasing Division conference, attendees are invited to provide valuable feedback through an online evaluation. More than half of the attendees responded. With participation from **164** respondents (**53%** of attendees), conference participants rated various categories on a four-scale survey, with excellent being the highest. Respondents rated the following categories as “good” or “excellent:” **80%** for the overall opinion of the conference; **90%** for conference registration; **90%** for the organization of the conference; **90%** for the atmosphere being conducive to learning; and **96%** for the overall quality of the conference sessions being professional and effective.



**Conference attendees participate as part of a round-table discussion during the 2019 Agency Purchasing Conference.**

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When asked what they liked best about the conference, one attendee responded, “The classes were great. I appreciate the additional inclusion of *WV*OASIS screenshots and information. This was incredibly helpful from a ‘practical application of the procurement process’ point of view.”

Another attendee noted that a lot of good information was shared as part of the open discussion, round-table, and critical thinking sessions from individuals who actually do the work day-to-day.

### **Vendor Training Initiatives**

The Purchasing Division took a new approach to vendor outreach this fiscal year. On October 3, 2019, the Division organized a Vendor Open House to give the vendor community the opportunity to meet with representatives from several state agencies in one location. The event was held in the Capitol Room of Building 7, with three 30-minute informational sessions for vendors held in the adjoining Regents Room.

In addition to this in-person event, the Purchasing Division also offered its free *Doing Business with the State of West Virginia* webinar to current and prospective vendors on March 5, 2020.

Approximately **185** vendors participated in the Vendor Open House, while **72** participated in the webinar. In addition to the Purchasing Division, other agencies represented at the Open House included the Tax Department, the Secretary of State’s Office, the Office of Technology, the Department of Environmental Protection, the Department of Transportation, the Finance Division, the Department of Health and Human Resources, the State Treasurer’s Office, and Surplus Property.

Meanwhile, Purchasing Division staff shared as part of the 90-minute webinar how vendors could maximize their opportunities to bid and perform work for West Virginia state government. As part of the webinar, vendors learned how to market their commodities and services to West Virginia state agencies, how to register as a vendor with the Purchasing Division, and how to submit bids/proposals.

It has been the Purchasing Division’s goal to foster open and fair competition in the state procurement process at all times. By continuing to offer free informational seminars and webinars to vendors, the

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Purchasing Division is doing its part to ensure that vendors understand the competitive bidding procedures and participate in this process to the fullest extent possible.

## **Webinars**

To accommodate designated procurement officers who are required to obtain 10 hours of procurement training offered by the Purchasing Division each fiscal year, in accordance with W. Va. § 148 C.S.R. 1-3.2, and in response to the state of emergency issued by Gov. Jim Justice in March 2020 as part of the global COVID-19 pandemic, the Purchasing Division conducted **14** webinars (**23.5** total hours) during Fiscal Year 2020, an increase of **4** offerings over the previous fiscal year.

Offering webinars allows agency purchasers who are unable to travel to Charleston for training or whose schedules conflict with the scheduled In-House Training Program dates and times to still receive proper training on the state laws and rules governing the procurement process. Many of these webinars took place during the winter months to ensure that procurement officers could receive training even in inclement weather.

The webinars offered this fiscal year covered basic topics applicable to most agency purchasers, regardless of location, and included topics such as statewide contracts, inspection services, fixed assets and surplus property, developing specifications, Office of Technology requirements, vendor registration and more. Approximately **527** individuals participated in these free webinars.

## **In-House Training Curriculum**

The West Virginia Purchasing Division continues to offer in-person workshops as part of its training program because of the advantages that these small group settings offer. During Fiscal Year 2020, the Division offered **eight (20 hours)** in-person training workshops, a decrease of nearly half from the previous year due to an increase in webinar offerings, particularly during the colder months, and the cancellation of multiple in-person trainings scheduled at the start of the pandemic. Prior to the complete shift to webinars, however, evaluations showed that many participants appreciated having questions answered on the spot, smaller group interactions, open discussion between participants and presenters, and the knowledge of the presenters.

As part of these in-person sessions, Purchasing Division also incorporated activities where possible to give participants hands-on practice, and in some cases, live demonstrations. The Purchasing Division understands the benefits of these hands-on activities and other methods of educating agency purchasers and strives to always offer participants the opportunity to practice and apply their newly-acquired knowledge.

## **Agency Resource Modules**

The Purchasing Division continues to add to its offerings of online training modules for agencies so that procurement officials can learn new purchasing topics, as well as obtain a refresher as necessary, from the convenience of their own offices. At the start of the pandemic, many employees increased the amount of training they were taking. In order to ensure this training participation was accurately tracked, the modules were moved into the state's Learning Management System, CourseMill.

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Additionally, the Purchasing Division introduced a new mini module on the standardization process, as well as updated other modules as necessary, to ensure current and accurate information on the laws, rules, and procedures. The standardization module focuses on the process required for agencies to standardize certain commodities, which allows them to specify a brand of product without using “or equal” language in the specifications of a solicitation, as outlined in W. Va. Code § 5A-3-61.

As part of its efforts, the Purchasing Division also reformatted its online training module webpage. Among the changes, the Purchasing Division separated the mini modules from the full modules. The mini modules focus on a single topic and are quick, targeted modules, while the full modules focus on an entire process and how that process fits into the greater whole. A description of the module content and links to the trainings in CourseMill were added, rather than opening a video file. Having the modules in the state’s learning management system allows viewers to more easily track their training participation through the transcript feature within CourseMill.

All modules are self-paced and available to our state agency procurement officers free of charge. Agency procurement officers may view these modules on the Purchasing Division’s training website from their workplace, at home or while on the go. There are **14** modules (i.e. 10 full modules and four mini-modules) covering varying topics, from *Public Procurement Basics* and *Requests for Quotations to Change Orders and Addenda* and *Writing Specifications*.

During Fiscal Year 2020, agency purchasers self-reportedly viewed the modules more than **715** times.

### **High-Level Officials Purchasing Procedures and P-Card Training**

The West Virginia Purchasing Division continues to offer two webinars each year on the state’s purchasing procedures and Purchasing Card Program to the state’s high-level officials. The two-hour webinar, which is required by W. Va. Code § 5A-3-60, is co-presented by the Purchasing Division and the State Auditor’s Office and is mandatory for all “executive department secretaries, commissioners, deputy commissioners, assistant commissioners, directors, deputy directors, assistant directors, department heads, deputy department heads and assistant department heads” to complete annually.

During Fiscal Year 2020, these webinars were offered on **November 7, 2019**, and on **May 14, 2020**. The November webinar was recorded and posted on the Purchasing Division’s website for online viewing for the remainder of the fiscal year for any individual who was unable to attend either live webinar. More than **475** high-level state officials participated in or viewed this training this fiscal year.

### **Purchasing Division Procurement Certification Program**

The Purchasing Division continues to certify agency purchasers through the *West Virginia Procurement Certification Program*.

During Fiscal Year 2020, **10** agency purchasers successfully completed the Basic Certification Program. This brings the number of total agency purchasers certified since the program’s inception to **104**. Additionally, **four** agency procurement officers were certified at the advanced level, bringing the total since inception to **24**.

Effective January 2, 2020, the Purchasing Division updated the requirements for the Certification Program.

As part of the changes, language was added to clarify that an individual must be permanently employed by the agency under the Purchasing Division’s authority for which they buy. Additionally, they must submit an organizational chart with the verification form, as well as describe their job duties and how they meet the certification requirements at a professional level.

As part of these updates, the Division also updated the re-certification requirements for those individuals who have already achieved basic and/or advanced certification. The new requirements, which must be completed every three years in order to maintain certification, are as follows:

- Attend one of the next three Agency Purchasing Conferences, starting from the date of the recipient’s date of certification/re-certification. The former requirement was two conferences of the next three.
- An employee must be permanently employed by the agency for which it completes the purchasing duties under W. Va. Code 5A-3. This applies to those individuals who want to pursue certification for the first time and those who want to re-certify.

A complete list of certified individuals, their dates of certification/recertification and their applicable expiration dates may be found on the Purchasing Division’s website. For a direct link, visit [www.state.wv.us/admin/purchase/training/Certification](http://www.state.wv.us/admin/purchase/training/Certification). This webpage also contains the requirements to successfully complete the basic and advanced level certifications.

## **Staff Development**

The West Virginia Purchasing Division conducts professional development sessions for its staff to ensure an adequate understanding of various laws, rules, and procedures. During Fiscal Year 2020, Purchasing Division General Counsel James Meadows addressed staff to highlight changes made as a result of the 2020 Legislative Session. Additionally, Assistant Purchasing Director Elizabeth Cooper shared information on fixed asset requirements, required *WV*OASIS documents when entering assets into the system, disposition methods, and the Federal Surplus Property Program.

In addition to internal professional development training, Purchasing Division staff also regularly attend and participate in conferences conducted by national organizations, including the National Association of State Procurement Officials, National Institute of Governmental Purchasing and the National Procurement Institute. Due to the COVID-19 pandemic, many of these national conferences for which our staff planned to attend were canceled.

## **Purchasing Division Training Summary**

The Purchasing Division’s comprehensive training program affects many state employees throughout the year. Below is a summary of the training formats and attendance for Fiscal Year 2020:

Description of Training	Statistics
Number of High-Level State Officials Trained on Purchasing Procedures and Purchasing Card Program	489
Number of In-House Training Sessions	8 sessions (20 hours)

Number of Agency Webinars	14 sessions (23.5 hours)
Number of Total Attendance at In-House Sessions	89
Number of Times Agency Procurement Officers Participated in Webinars	527
Number of Agency Conference Participants	266
Number of Online Training Modules	11 full modules (5.5 hours) 3 mini-modules (.75 hours)
Number of Online Modules Viewed and Certified	715
Number of Individuals Attaining the WV Procurement: Basic Certification	10
Number of Individuals Attaining the WV Procurement: Advanced Certification	4
Number of Individuals Attaining Re-Certification	18

*\*This total relates to only agency procurement officers who were trained through the Purchasing Division's Training Program's in-house training workshops, annual conference and online resource modules. This number does not include attorneys attending the legal seminar, high-level officials attending the biannual training, or participation in the statewide local government or vendor seminars.*

## Purchasing Division Continues to Track Training Hours of Agency Designated Procurement Officers

W. Va. 148 C.S.R. 1 requires that agency designated procurement officers complete 10 hours of purchasing training each year. The Purchasing Division continues to actively track training participation and notifies individuals mid-year of their total hours obtained.

Training hours are tracked on a fiscal year basis. As part of the mid-year audit, the Purchasing Division informed procurement officers whether they met the requirement for the current fiscal year, and if they had not, how many hours they still needed to obtain by the end of the fiscal year in order to be in compliance.

As part of their communication, the Purchasing Division highlights the opportunities available to obtain training, including monthly Purchasing Division In-House Training workshops, Purchasing Division webinars, and self-paced online training modules on the Purchasing Division's website. Attendance at the annual Agency Purchasing Conference also counts toward the 10-hour requirement.

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## Governor's Committee for the Purchase of Commodities and Services from the Handicapped

In accordance with W. Va. Code § 5A-3-10(e), the Purchasing Division is responsible for designating an Executive Secretary for the Governor's Committee for the Purchase of Commodities and Services from the Handicapped (GCPCSH). Technical Services Manager Mark Totten continues to serve in this position as the liaison between the Purchasing Division and the GCPCSH and also handles all administrative functions and maintains the committee's website, <http://gcpcsh.wv.gov>.

### Updates Made to Procedures Handbook and Master Terms and Conditions Provide Most Current Information

The Purchasing Division maintains a *Purchasing Division Procedures Handbook*. To ensure state employees have access to the most current and accurate information related to the state purchasing process, the Handbook is made available on the Purchasing Division's website and updated on a regular basis.

During Fiscal Year 2020, two sets of revisions were made to the 2018 edition of the *Purchasing Division Procedures Handbook*. The first set of revisions, effective July 1, 2019, added language on a newly developed RFP packet containing documents to assist agencies processing RFPs, added the RFP packet links to the various documents as Appendix H, modified language to require the designated agency procurement officer serve as the chairperson or co-chairperson for their agency's RFP committees, and mandated that only the designated procurement officer sitting on the RFP committee take the RFP evaluation training. Other changes made included modifying the title of Section 9 from Exempt Purchases to the Impossible to Bid List, changing references to the Exempt Purchases list within the *Purchasing Division Procedures Handbook* to Impossible to Bid language, and adding another item to the Impossible to Bid list (i.e. for copies of government documents/records obtained from the government).

The latter set of revisions, effective January 9, 2020, required that vendors requesting preference in writing at the time of bid submission provide all documentation necessary to prove its entitlement to the request at the time of the bid submission. An additional change clarified that each individual present at a pre-bid meeting may only represent one vendor and any individual that does attempt to represent more than one vendor will be required to select the one vendor for which the individual's attendance will be attributed.

During Fiscal Year 2020, multiple changes were also made to the master terms and conditions. These changes included the following:

- Removing the Non-Mandatory Pre-Bid box;
- Adding language that license(s)/certifications/permits may be requested before or after the contract award at the state's discretion;
- Adding a section on the prohibition against used or refurbished goods;
- Requiring vendors to list the state of West Virginia as an additional insured on certain insurance policies; and
- Removing language contained under the Labor/Material Payment Bond section regarding certi-

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fied checks, cashier's checks, or irrevocable letters of credit;

The *Purchasing Division Procedures Handbook* can be viewed online at [www.state.wv.us/admin/purchase/Handbook](http://www.state.wv.us/admin/purchase/Handbook), along with archived copies of past revisions. The master terms and conditions can be accessed at [www.state.wv.us/admin/purchase/arc](http://www.state.wv.us/admin/purchase/arc).

## Technological Initiatives

The Purchasing Division is pleased to make continuous technical improvements to our programs and services. The Technical Services Unit was instrumental in implementing many accomplishments during Fiscal Year 2020.

### **Purchasing Division Continues to Notify Vendors of Registration Status Via Mailings**

The Purchasing Division spearheaded an effort to encourage more vendors to register with the state and compete for state orders with a large postal mailing in FY2020, following an internal study that revealed fewer vendors participating in the competitive bid process following the implementation of *wvOASIS* and its Vendor Self-Service (VSS) portal.

“Many vendors were not renewing registration or submitting responses to state solicitations over the years, and we found there was less vendor engagement in the competitive bid process,” said Technical Services Manager Mark Totten. Purchasing Division’s Quality Control and Transparency Specialist, Lu Anne Cottrill, compiled nearly ten years of solicitation response data that revealed the sharply downward trend of vendor engagement after *wvOASIS* and VSS was launched in 2014.

Since the last mass postal mailing to expired vendors with an expired Purchasing Division registration was in the first half of FY2018, Totten and his team decided it was time for another major outreach effort. The Technical Services Unit exported relevant data from *wvOASIS* on expired vendors and programmed data into a letter that is built to look like state letterhead. Past experience has shown that a physical mailing received through the U.S. Mail, as opposed to electronic mail, is more effective in producing action from the vendor community. The letters provided details on vendor registration status and renewal options, emphasizing online renewal and fee-payment resources for vendors. The letters were sent to nearly 1,400 recipients.

The logistics of the mailing is made possible by Purchasing Division collaborating with the West Virginia Office of Technology’s (WVOT) Print Shop and Mail Room. In addition, the letter received by vendors, appearing in color and exactly the way a personalized letter would appear on official state letterhead, is made possible by the technical cooperation and capabilities of Purchasing’s Technical Services Unit and WVOT’s Print Shop.

“Experience and data in the time since *wvOASIS* was implemented show the most effective way to keep the vendor community engaged is to employ hybrid outreach policies, both traditional and electronic,” Totten said.

As a result, the Purchasing Division’s Vendor Registration Program received a surge of registration

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renewals from vendors who were largely unaware their business entity's state procurement registration had expired. Boosted by the Technical Services Unit's development of a *wv*OASIS Business Intelligence report that utilizes data captured from vendors during Purchasing's registration process, these initiatives have already led to an increase in vendor responses to statewide solicitations.

### **Purchasing's Technical Services Unit and Statewide Contract Buyer Develop Method to Harvest Vendor Information for Competitive Bidding Throughout the State**

In a groundbreaking development toward the recruitment of new vendors into the statewide competitive bid process, in conjunction with *wv*OASIS, the Purchasing Division Technical Services Unit and Statewide Contract Senior Buyer Mark Atkins developed a method to expand agencies' reach when procurement officers solicit the vendor community for necessary goods and services. With newly-condensed information that utilizes data gathered through the Purchasing Division's Vendor Registration program, and available to state agencies through a report in the *wv*OASIS Business Intelligence module, procurement officers now have unprecedented access to targeted vendor information that can greatly accelerate the state of West Virginia's competitive bid process. The report, WV-FIN-VN-010, Vendors by Commodity, allows state agencies to search *wv*OASIS's vendor table by UNSPSC-designated commodity codes describing what vendors indicate through registration as their specific areas of business.

The United Nations Standard Products and Services Code (UNSPSC), used globally to classify nearly anything procurable, is part of the library of information collected from vendors during the state registration process. Procurement employees statewide have been encouraged to search *UNSPSC.org* for appropriate codes describing their needed commodities and become familiar with classification codes for their agency's unique needs. With the desired UNSPSC codes, and harnessed during solicitation planning, matching UNSPSC codes with vendor information already in the *wv*OASIS system's VCUST table gives procurement officers a currently-untapped layer of effectiveness when seeking competitive responses from the private sector. This data, available to export in spreadsheet format for agencies to analyze, can serve to expand the vendor audience made aware of any bid opportunity, whether procured through the agency delegated purchasing process or advertised as a solicitation through the *West Virginia Purchasing Bulletin*.

The Purchasing Division and *wv*OASIS designed the WV-FIN-VN-010 report to minimize agency time needed to benefit from the data output through the report's minimal steps. Agencies' immediate identification of potential vendors when planning and advertising competitive solicitations has already greatly enhanced the state's ability to perform market research ahead of procurements and more effectively communicate with potential vendors via phone or email, all while eliminating guesswork and time spent identifying relevant vendors from scratch for the state's diverse and often unusual needs.

After statistical analysis by the Purchasing Division showed a decline in vendor responses to solicitations over the previous five years, and setting the goal to reinvigorate vendor engagement, this report has not only lead to an increased number of competitive responses to advertised solicitations but has also resulted in state agencies lowering costs for all necessary commodities and services.

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## **Technical Services Unit Develops Enhanced Transparency and Work-At-Home Procedures During COVID-19**

As all state agencies shifted toward “contactless” procedures for their traditional functions, the Technical Services Unit innovated several enhanced processes for Purchasing Division staff. For employees working at home in quarantine, the unit assigned laptop PCs typically used for seminars and conferences and installed Purchasing-specific software for each employee’s needs. In addition, the unit coordinated with the West Virginia Office of Technology to ensure the necessary employees had state Virtual Private Network (VPN) access. In many cases, Purchasing Division employees were using this technology in their work day for the very first time. In addition, features included in the Purchasing Division’s Cisco phone system were utilized in order to forward business calls made to the office to employee cell phones wherever they were working.

For the Purchasing Division’s public bid openings that are mandated by legislation, the unit modified the “welcome board” display in Building 15’s lobby to broadcast a video feed from the bid opening room to vendors watching in this separate part of the building. This minimized contact between the agency and vendor community that often attends these bid openings. The video feed was made possible by utilizing the conference software WebEx at the table where bids are opened and then, from a separate PC, broadcasting the video meeting to the lobby’s “welcome board” display through an HDMI connection that was fed through Building 15’s ceiling.

Later, as lockdown procedures became more strict, the Purchasing Division’s bid openings were broadcast exclusively online as vendor entry into Building 15 was no longer permitted.

Utilizing existing technology in non-traditional ways allowed the Purchasing Division to maintain the transparency of public bid openings and continue compliance with state legislation as it relates to the procurement process.

## **Meeting Space Technology Revamped as Purchasing’s Needs Change**

In Fiscal Year 2011, the acquisition of a mobile, interactive white board in the Purchasing Division’s 2<sup>nd</sup> floor training room brought a new layer of technology to the agency’s trainings and webinars. During Fiscal Year 2020, the Technical Services Unit replaced the interactive board in this conference room with a new “smart television” display to reflect how this meeting and training space’s needs have changed over the years. The new configuration can be utilized with a laptop PC, as was the case with the original board, or operated through the “smart” options available through the display’s firmware. The original, mobile, touch-screen technology was retired to the West Virginia State Agency for Surplus Property, as is the case with any non-IT property no longer needed by the state’s agencies.

## **Prominent COVID-19 Information Page Added to Purchasing Division Website**

During the COVID-19 pandemic when it became critical to share information with other state agencies and the vendor community in a timely manner, the Technical Services Unit added a prominent section to the Purchasing Division’s website, *WVPurchasing.gov*, that shares daily information regarding the division’s enhanced procedures in regard to the state procurement process. Information that was immediately made available after the governor’s declared state of emergency included information on the state employee travel ban, changes to purchasing rules and regulations during the declared

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emergency, visitor restrictions to Building 15, and daily information on Purchasing Division’s scheduled bid openings and how to view the online video broadcast of these public events. Creating a hub of information for COVID-19 updates regarding the state procurement process is just one way the Purchasing Division has adapted to restrictions during the pandemic while maintaining the transparency of all state processes under the division’s authority.

## **Purchasing Division Reformats Contracts Webpage**

Because the Purchasing Division’s website hosts an array of valuable information, it is important for the Purchasing Division to keep those resources well organized and easily accessible. This was the motivation behind a few changes made during Fiscal Year 2020 to the Contracts section of the Purchasing Division’s website.

The Contracts page at *WVPurchasing.gov* now features four sections: statewide contracts, terms agreements, a specification index, and contracts for local government entities. This separation of contract information will provide better clarity for all individuals accessing the Contracts page.

The revised Contracts page features one of the latest webpages added to the Purchasing Division’s website, Contracts for Local Governments, which provides a direct link to contracts specifically entered into by the Purchasing Division on behalf of local government entities (i.e. fire trucks, school buses, etc.).

The Purchasing Division continually strives to provide organized information that will help facilitate efficiency among procurement officers. The revised Contracts page can be accessed at *www.state.wv.us/admin/purchase/contracts.html*.

In addition to the many changes and updates made to the Purchasing Division’s website and intranet during Fiscal Year 2020, the website statistics for this fiscal year are noted below:

### Purchasing Division’s Internet Site Statistics:

Total Hits:	<b>10,801,726</b>
Unique Visitors:	<b>193,096</b>
Visitor Sessions:	<b>1,110,188</b>
Average Visitors Per Hour:	<b>21.99</b>
Files Downloaded:	<b>55,540</b>

### Purchasing Division’s Intranet Site Statistics:

Total Hits:	<b>79,279</b>
Unique Visitors:	<b>1,674</b>
Visitor Sessions:	<b>10,215</b>
Average Visitors Per Hour:	<b>0.19</b>

## Program Services Section

*This section is responsible for several of the programs administered by the division. The Fixed Assets Program maintains the state's inventory of property. The Surplus Property Unit manages the state and federal programs for property no longer needed within the respective governments. The Travel Management Unit offers guidance to state business travelers and oversees various statewide contracts for travel-related services.*

### Fixed Assets Management Program

In accordance with W. Va. Code §§ 5A-3-34 through 37, the Purchasing Division has full authority over inventories and property. The head of every spending unit of state government shall, on or before July 15<sup>th</sup> of each year, file with the director an inventory of all real and personal property, and of all equipment, supplies and commodities in its possession as of the close of the last fiscal year. Agencies are required to report their fixed assets with an acquisition value of \$1,000 or more into the *wv*OASIS Fixed Assets System and retire obsolete equipment in accordance with policy and procedure.

### Surplus Property Program

The West Virginia State Agency for Surplus Property (WVSASP) has assisted thousands of eligible organizations for more than 70 years by offering quality, usable property at a substantially reduced price. WVSASP is authorized to market state property to the general public if eligible organizations do not express a need first. Additionally, WVSASP works closely with the U.S. General Services Administration to administer the federal surplus property program for eligible organizations.

#### **Fiscal Year 2020 Statistics**

The following are totals earned for various programs administered by the West Virginia State Agency for Surplus Property (WVSASP):

Federal Property Service Charge	<b>\$ 95,595.72</b>
State Property Service Charge	<b>257,885.77</b>
Public Daily Sales	<b>582,498.61</b>
Online Sales (GovDeals)	<b>547,836.61</b>
Scrap	<b><u>16,152.02</u></b>
Gross Revenue	<b>\$1,499,968.73</b>
Amount Reimbursed to State Agencies	<b>\$620,669.73</b>
Net Revenue	<b>\$879,296.00</b>

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## **State Vehicles**

There were **257** vehicles sold during Fiscal Year 2020. Below is a breakdown of the method by which they were sold:

Public Auction	<b>0</b>	<b>\$0.00</b>
Public Daily Sales	<b>113</b>	<b>501,475.00</b>
Online Sales (GovDeals)	<b>113</b>	<b>451,726.00</b>
Negotiated Sales	<b><u>31</u></b>	<b><u>240,509.00</u></b>
Totals	<b>257</b>	<b>\$1,193,710.00</b>

## **Online Sales**

The West Virginia State Agency for Surplus Property (WVSASP) utilized an online auction process to dispose of property that is not easily transportable to the Dunbar location, located too far from Charleston for it to be reasonably picked up, unique, or has been warehoused at WVSASP for an extended period of time.

Agencies are required to obtain approval for the disposition of all state property through WVSASP, unless statutorily exempt. Online sale sites, such as GovDeals, allow users to browse items for sale according to category, auction closing time and state. The site is specifically designed for government sellers and allows for greater accountability for WVSASP.

WVSASP sold **229** items through the online sales site during Fiscal Year 2020. Revenue from online sales was **\$547,836.61**. Items sold through online sales included a 2012 Ford F-350 Truck, a 191 Lowboy Trailer, one lot of traffic barrels, and a soundboard mixer for broadcasting.

## **Daily Public Retail Sales**

The West Virginia State Agency for Surplus Property has had the authority to sell state property to the public through daily retail sales since June 2008. All direct sale items are priced and sold on an “as is, where is” basis. Property is available at the Surplus Property facility at 2700 Charles Avenue in Dunbar. As a result of the daily public retail sales, **\$582,498.61** was generated in revenue during Fiscal Year 2020.

## **Eligible Organizations Put to Use a Variety of Unique Items Purchased from Surplus Property**

When items no longer needed by West Virginia state agencies are sent to the West Virginia State Agency for Surplus Property (WVSASP), the goal is for eligible organizations and the public to purchase needed items at an affordable price. That goal was met in several instances during Fiscal Year 2020, as indicated by the following.

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## **Division of Forestry Obtains Semi-Truck from WVSASP to Extend Services Around the State**

The Division of Forestry added a new vehicle to its fleet during Fiscal Year 2020, thanks to the West Virginia State Agency for Surplus Property (WVSASP). Following the completion of needed repairs, the truck was set to transport heavy equipment throughout the state.

Buying a used truck and paying for repairs instead of buying new provided a significant savings to the Division of Forestry. While the final repair costs were not immediately known, the Division of Forestry estimated that acquiring the vehicle through WVSASP saved at least \$100,000.



The Division of Forestry added to its fleet with the purchase of a truck from the West Virginia State Agency for Surplus Property (WVSASP). The truck will be used to transport heavy equipment throughout the state of West Virginia. The Division expected to save approximately \$100,000 following the cost of needed repairs.

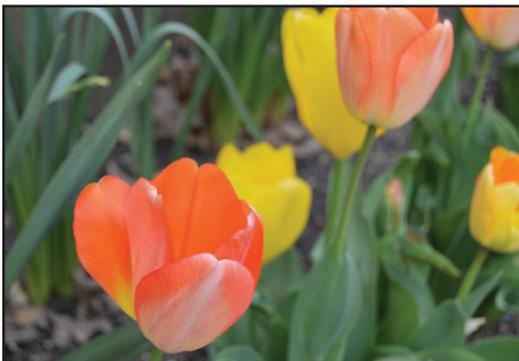
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## **WVSASP Coordinated Transfer of Tulip Bulbs to Eligible Organizations, Despite Closure Due to COVID-19 Pandemic**

Tulip bulbs formerly planted on the West Virginia State Capitol Complex bloomed once again across the state thanks to the West Virginia State Agency for Surplus Property (WVSASP). Each year, WVSASP is tasked with finding new ground for tulip bulbs removed by the General Services Division as part of their campus management.

“The tulip bulbs are a unique asset we receive each year,” explained WV Surplus Manager Elizabeth Cooper. “We often get calls asking for the tulip bulbs before they have even arrived at our Dunbar warehouse.”

Due to the COVID-19 pandemic, WVSASP was closed during the time that the transfer of tulip bulbs would typically take place. However, that didn’t stop WVSASP from coordinating its transfer from the General Services Division to other eligible organizations. WVSASP Supervisor Matt Harper coordinated pickups with eligible organizations to allow the tulips to be transferred without contact, in accordance with social distancing guidelines.



“Because the tulips are organic, the distribution was time sensitive,” said Harper. “Coordinating the pickups was an extra challenge this year but necessary to ensure that eligible organizations could properly store the tulip bulbs prior to them rotting.”

WVSASP provided the tulip bulbs to six organizations, including the Town of Spencer, the city of Madison, and the 4-H Camp.

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## Surplus Property Educates Fixed Asset Coordinators Virtually Following Governor’s State-at-Home Orders

Following Gov. Jim Justice’s stay-at-home order in mid-March 2020, the West Virginia State Agency for Surplus Property (WVSASP) was forced to make several changes to the way it conducts business. Among the changes was the conversion of its annual training for all designated fixed asset coordinators to a webinar format. Originally slated to take place as an in-person training, WVSASP educated more than 50 individuals who attended the training remotely via WebEx.

WVSASP, which is overseen by the Purchasing Division, is responsible for managing the state’s Fixed Assets Program. Each year, agencies are required to submit a certification to the WVSASP stating that the agency has entered all its reportable fixed assets into the *WV*OASIS Fixed Assets System. To ensure that Fixed Asset Coordinators are aware of best practices and current policies and procedures, the WVSASP and the Purchasing Division developed a training exclusive to those state employees responsible for adding, maintaining, and certifying their agency’s fixed assets, as well as retiring property no longer needed by the state agency.

“Since WVSASP’s operations rely heavily on assets retired by state agencies, it is very important that we continue to train agency asset coordinators on the maintenance of fixed assets, and subsequently, proper retirement procedures,” said Acting Assistant Director Samantha Knapp. “The webinar offered in early April was recorded and posted online. Our hope was that this will continue to serve as a training resource for agencies in the future.”

Following the webinar, an evaluation was sent to attendees. Of those who responded, 94% rated the webinar as excellent or good. One respondent commented, “Considering the situation we all are in, everything today was perfect.”

## Surplus Property Hosts Two Virtual Outreach Events for Eligible Organizations During COVID-19 Pandemic

While daily business operations may have changed slightly during Fiscal Year 2020 due to the COVID-19 pandemic, that didn’t stop the West Virginia State Agency for Surplus Property (WVSASP) from conducting outreach events to eligible organizations. During its closing in May, WVSASP hosted a webinar on the state and federal surplus property programs, reaching **57** individuals from **52** separate organizations. Following that event, an attendee contacted WVSASP with a request for a similar event targeted to library officials in West Virginia.

In June, a second webinar was conducted for West Virginia library officials. **11** library representatives from around the state attended this webinar, including individuals from Point Pleasant, Kenova, Burnsville, Mill Creek, Fairmont, and Bluefield. Copies of the presentation were also made available to library officials unable to attend the live presentation.

“I am excited to connect with representatives of state agencies and eligible organizations and educate them about our program,” explained WVSASP Manager Elizabeth Cooper. “While we had only planned on having one event, I was excited we were asked to present again. As long as there is interest, we are always

happy to present to various groups.”

## State Travel Management Office

Information and statistics related to the State Travel Management Office and the travel-related contracts that are used by state employees are noted below:

### Statewide Contract for Car Rentals [Enterprise and Hertz]

To provide more cost-effective service to the state, the Purchasing Division elected to participate in car rental contracts with Enterprise and Hertz that were part of a national cooperative contract through NASPO ValuePoint.

Below is information relating to the cooperative contracts for rental vehicles.

#### *Enterprise*

The total number of rental days for the Fiscal Year 2020 was **84,785**, based on an expenditure of **\$2,310,289.05**, making the average cost of a rental car per day as **\$27.25**. Without a preferred car rental contract, the normal (average) daily rate is **\$73.27** for a savings of **\$3,901,907.90**.

#### *Hertz*

The total number of rental days for the Fiscal Year 2020 was **7,931**, based on an expenditure of **\$264,416.00**, making the average cost of a rental car per day **\$33.34**. Without a preferred car rental contract, the normal (average) daily rate is **\$71.63**, for a savings of **\$303,681.53**.

#### *CDW (Collision Damage Waiver)*

The state’s rental car contracts include the insurance for collision damage waiver. The average cost of optional coverage provided by car rental companies is **\$30.00** per day. Based on **92,716** rental days, the state has saved **\$2,781,480.00** on rental insurance.

### Statewide Contract for Travel Management Services [National Travel]

Year-end transactions include:

Exchanges	174
Refunds	69
Airline tickets	2,625
Service fees paid	\$91,320.94
Total Transactions	5,377
Cost	\$1,466,098.04
Full Fare	\$5,149,697.00
Savings	\$4,020,108.24

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The Delta Partnership statistics for Fiscal Year 2020, as provided by Delta, indicated savings as shown below:

Tickets:	958
Cost:	\$549,639.92
Full Fare:	\$1,627,453.00
Savings:	\$1,077,813.00

### **Mileage Reimbursement Rate**

The state of West Virginia adheres to the federal government’s mileage reimbursement rate for privately-owned vehicles set by the U.S. General Services Administration, in accordance with the State Travel Rules.

Effective January 1, 2020, that rate was decreased to **57.5** cents per mile, down one half of a cent from the previous rate. The rate covers all operating costs, such as fuel, maintenance, and insurance, and no additional reimbursement will be made for such expenses.

The State Travel Management Office notifies state agency travel coordinators regarding this type of change. To view the State Travel Rules, visit: [www.state.wv.us/admin/purchase/travel/TravelRule.pdf](http://www.state.wv.us/admin/purchase/travel/TravelRule.pdf).

## **Legal Office**

*The Legal Office assists the Purchasing Division staff with ongoing legal and legislative issues, including drafting proposed legislation, addressing privacy issues, developing risk management solutions, overseeing all agency and central level protests, monitoring all terms and conditions, establishing templates and forms, and more.*

### **General Counsel Continues Work in Multi-Agency Committee Focused on Vendor Management**

Throughout Fiscal Year 2020, Purchasing Division General Counsel James Meadows continued participation in a multi-agency committee made up of representatives from the West Virginia Office of Technology (WVOT), the Board of Risk and Insurance Management (BRIM), the State Privacy Office, and the Department of Administration’s Cabinet Secretary’s Office. The goal of this committee is to improve vendor management and help protect the state of West Virginia as procurement problems arise.

During Fiscal Year 2020, Meadows worked closely with the WVOT to issue a new cloud addendum to improve cyber security, and with the State Privacy Office to offer more privacy training. The work that Meadows and the other members provide ensures that West Virginia is taking a proactive approach to security and monitoring and always finding innovative ways to improve.

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## **New Liability Risk Assessment Form Created to Assist Agency Purchasers Determine Vendor Risk**

The Purchasing Division announced the creation of a new form during Fiscal Year 2020, titled *Contractual Liability Limitation Request: Risk Assessment & Constitutional Compliance Check* (WV-114). The form was created to assist state agencies in determining whether a vendor's proposed liability limit complies with constitutional mandates that prohibit state agencies from taking on debt, as well as extending the state's credit to third parties.

As part of this form, agencies should carefully consider the following five categories and provide the information requested:

- Risk of Temporary Interruption
- Permanent Contract Interruption (vendor bankruptcy, service termination, etc.)
- Consequences and Cost of System/Data Breach
- Damage to Existing State Assets
- Damage to Third Parties

This form should not be used to determine appropriate insurance limits. Any concerns about appropriate insurance limits should be directed to the Board of Risk and Insurance Management.

## **Purchasing Division Supports Technology's Efforts to Add Services to Secondary Bidding**

In addition to processing solicitations and ensuring that purchasing laws are followed, the Purchasing Division also serves as an advocate for agency needs. During the 2020 Legislative Session, the Purchasing Division assisted the Office of Technology in amending purchasing statute to allow for secondary bidding.

"When the Office of Technology approached us with interest in having secondary bidding for their staffing contracts, we were happy to help," said Purchasing Division General Counsel James Meadows. "We supported the Office of Technology's request in the next the legislative session and it was ultimately approved."

While the Purchasing Division cannot support every idea that is submitted for legislative change, Purchasing Division staff members are always willing to listen to new ideas and develop additional methods to support agency needs.

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## Purchasing Division Takes Hands-on Approach to RFP and Complex Procurement Assistance, Develops RFP Packet for Agencies' Use

The purchasing process can be complex, time consuming, and highly technical. To better assist agencies with complex procurements, including the development of Requests for Proposals (RFP), the Purchasing Division took a hands-on approach during Fiscal Year 2020.

Effective July 1, 2019, the Purchasing Division made available an RFP packet to assist agency procurement officers in preparing RFP requests, as well as publishing, evaluating, and awarding RFPs. The packet included the Agency Approval Request (WV-110) template and Evaluation Committee Designation Form (WV-111), which are both required before the RFP process may begin, and the Technical Evaluation Committee Scoring Memorandum (WV-112), the Technical Scoring spreadsheet, and the Recommendation for Award Memorandum (WV-113) template. Each of these forms was carefully developed in accordance with West Virginia requirements and the needs of procurement officers.

In addition to these efforts, the Purchasing Division also made its staff members available in-person for more unique, challenging solicitations. When specifications for an RFP prove to be very complicated, Purchasing Division staff members assist the agency by holding meetings to work through the draft specifications.

“When the Purchasing Division has a sit-down meeting to discuss specifications with a state agency, our goal is to talk through the problem with them,” explained Purchasing Division General Counsel James Meadows. “We want everyone to leave the room having learned something and ideally conclude with specifications written.”

Recent projects that required assistance of the Purchasing Division this fiscal year included the Office of Technology’s solicitation for its 2.0 Data Center and the Library Commission’s solicitation to ensure internet access for all West Virginia libraries.

## Purchasing Division Adds to its Debarred Vendor List

The Purchasing Division continually monitors the performance of vendors throughout each fiscal year. During Fiscal Year 2020, the Purchasing Division added three vendors to this list.

To view the complete list of debarred vendors, visit [www.state.wv.us/admin/purchase/debar.html](http://www.state.wv.us/admin/purchase/debar.html).

## Protests During Fiscal Year 2020

W. Va. 148 C.S.R. 1-8 addresses the process by which a vendor may file a protest. There are two types of protests: protests of specifications, which must be filed with the Purchasing Division at least five business days before the scheduled bid opening, and protests of contract award, which must be filed within five days of the date of contract award. All protests, regardless if related to transactions pro-

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cessed by the Purchasing Division or by agencies under their delegated authority, must be submitted to the Purchasing Division.

During Fiscal Year 2020, **16** protests relating to central purchasing transactions were filed with the Purchasing Division. Every possible effort is made by the Purchasing Division to ensure that the bid and contract award processes are conducted in strict accordance with W. Va. Code and the Code of State Rules to ensure fair and consistent treatment of vendors.

Of the **16** protests filed, **four** resulted in a change of the award of the contract. Based on the number of transactions processed by the Purchasing Division and the number of protests filed, the Purchasing Division has a **1.49%** rate of protests. This statistic reflects the percentage of purchase orders and contracts for which a protest of any type is filed for the fiscal year.

As a result of protests, the Purchasing Division may require the agency to cancel and re-bid the solicitation, modify specifications, deny the relief requested, or change the award decision. In only **0.37%** of the total transactions processed was the award decision changed. Stated another way, the award decision made by the Purchasing Division prevailed in **99.63%** of all transactions.

# Recognizing Excellence

The Purchasing Division values the work performed by agency procurement officers, and the tradition of the Purchasing Division to recognize those agency partners who display excellence in procurement practices continued during Fiscal Year 2020 with the *Agency Procurement Officer of the Year* (POOY) award and the *Excellence in Specification Writing* (ESW) award. Many of the hundreds of hardworking state procurement professionals demonstrate noteworthy qualities on a daily basis, with many cost saving results.

The Purchasing Division presented the *Excellence in Specification Writing* award during a socially-distanced presentation on October 28, 2020, followed by the *Procurement Officer of the Year* award on October 29, 2020.

The criteria for the POOY award include such qualities as tenure, performance, internal training efforts, communication, cooperation and a positive image. The ESW criteria focuses on scope, money, time, administration, and appearance/readability of the specifications and solicitation.

## Agency Procurement Officer of the Year

*The Agency Procurement Officer of the Year award was first introduced in 1996. Its purpose is to annually recognize one individual working in the procurement field who has demonstrated high levels of performance and professionalism.*

### **Procurement Officer Robert Price** Department of Health and Human Resources

The Purchasing Division recognized Robert Price, who serves as a backup designated procurement officer for the Department of Health and Human Resources' Central Purchasing Office, as its *2020 Agency Procurement Officer of the Year*.

Employed by DHHR since 2010, Price is an Administrative Services Manager II. He obtained West Virginia Procurement: Basic Certification in 2015, the Universal Public Procurement Certification Council's Certified Public Procurement Officer and Certified Professional Public Buyer certifications in 2014, and plans to sit for the National Institute of Governmental Purchasers' Certified Procurement Professional in the near future.

"Robert works on some of the most complex and difficult procurements. He is always clear when communicating about



**Robert Price was named the 2020 Procurement Officer of the Year. Price serves as a backup designated procurement officer for the Department of Health and Human Resources' Central Purchasing Office and serves as the lead on many of their more complex procurements.**

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any subject relating to procurement or any other matter,” said the co-worker who nominated him. “He came up with the idea to have vendor verifications printed to a PDF and attached to documents in *wvOASIS*,” the co-worker continued. “Robert is very cooperative and always ready to listen, understand and assist in any situation. Robert is always excited and enthusiastic to procure a variety of commodities and services for his agency. He brings security and assurance to his co-workers, bosses, and vendors.”

In its 25<sup>th</sup> year, the *Agency Procurement Officer of the Year* award program was created by the Purchasing Division to recognize and honor individuals who have demonstrated high levels of performance and professionalism. Nomination criteria include tenure, performance, communication, internal training, professional development, cost-saving ideas, cooperation with Purchasing Division and other state agency personnel, creating a positive image for the organization, establishing and following good purchasing practices and participating in professional purchasing organizations.

For a list of past winners, visit the Purchasing Division’s intranet site at <http://intranet.state.wv.us/admin/purchase/Recognition>. The complete list of recipients is noted below:

- 2020:** Robert Price (Department of Health and Human Resources)
- 2019:** Malena Harding (Public Service Commission)
- 2018:** Chuck Bowman (Adjutant General’s Office)
- 2017:** Althea Greenhowe (Department of Health and Human Resources)
- 2016:** Darlene Hovatter (Division of Juvenile Services)
- 2015:** Angela Negley (Division of Natural Resources)
- 2014:** Bryan Rosen (Department of Health and Human Resources)
- 2013:** Becky Jones (West Virginia Lottery) and  
Charlyn Miller (Division of Rehabilitation Services)
- 2012:** Bruce Blackhurst (Division of Juvenile Services)
- 2011:** Belinda Burdette (Alcohol Beverage Control Administration)
- 2010:** Les Smith (Division of Tourism)
- 2009:** Jamie Adkins (Department of Environmental Protection)
- 2008:** Pam Hodges (Regional Jail Authority)
- 2007:** Karen Lane (Division of Motor Vehicles)
- 2006:** Gloria Anderson (Division of Culture and History)
- 2005:** Diana Joseph (Division of Natural Resources)
- 2004:** Carole Woodyard (West Virginia State Police)
- 2003:** Syble Adkins (Department of Revenue)
- 2002:** Ratha Boggess (Treasurer’s Office)
- 2001:** Bev Carte (Division of Natural Resources)
- 2000:** Lendin Conway (Department of Environmental Protection)
- 1999:** Jo Miller Bess (Department of Health and Human Resources)
- 1998:** Lt. Col. Jim Powers (West Virginia State Police)
- 1997:** Susie Teel (Department of Environmental Protection)
- 1996:** Edi Barker (Bureau of Employment Programs)

# Excellence in Specification Writing

*The Excellence in Specification Writing award program was introduced in 2017. Its purpose is to annually recognize an individual or agency that has drafted specifications that adequately define the scope of a project, increase competition and elicit the best pricing, can be easily implemented by the agency and vendor, and are clear and concise, unambiguous, and non-contradictory.*

## **Sarah Long, C.P.A. Chief Financial Officer for the Department of Administration Cabinet Secretary's Office**

*Drafted minimum requirements that audit firms must meet to qualify as acceptable to be included in the overall State of West Virginia Comprehensive Annual Financial Report.*

Sarah Long, C.P.A., Chief Financial Officer for the Department of Administration, was selected as the recipient of the *Excellence in Specification Writing* award for 2020. For agencies seeking auditing services, her work on behalf of the Department of Administration's Cabinet Secretary's Office will set the minimum standards that each audit firm must meet to qualify as acceptable to be included in the overall State of West Virginia Comprehensive Annual Financial Report. Her efforts will have a lasting impact on state government.

"I am honored to receive this award and to work with our Purchasing Division," Long said. "Working together to be more specific about our purchasing needs enables us, as agencies, to get good quality firms bidding for the lowest price, while not compromising on a quality product. We are fortunate to have a Purchasing Division that works to accomplish that mission."



**Purchasing Director Mike Sheets is pictured above with Department of Administration Cabinet Secretary Allan McVey and Chief Financial Officer Sarah Long. Long received the 2020 *Excellence in Specification Writing* award, which was presented during a ceremony on October 28, 2020.**

All agencies that fall under the authority of W. Va. Code § 5A-3 are eligible for the *Excellence in Specification Writing* award. For more information on the ESW award program, visit <http://intranet.state.wv.us/admin/purchase/Recognition/ESWAward.html>. The complete list of recipients is noted below:

**2020:** Sarah Long, C.P.A., Department of Administration Cabinet Secretary's Office

**2019:** Department of Environmental Protection

**2018:** Division of Highways

# Annual Statistical Data

## FISCAL YEAR 2020 AWARD TRANSACTION SUMMARY

### New Purchasing Award Transactions and Delivery Orders

Designation	Total Count	Percentage	Total Amount	Percentage
In-WV*	18,298	51.54%	\$152,529,916.77	37.97%
Out-WV	17,205	48.46%	\$249,210,239.97	62.03%
<b>TOTAL</b>	<b>35,503</b>	<b>100.00%</b>	<b>\$401,740,156.74</b>	<b>100.00%</b>

*\*In-state vendors are based on the ordering address selected by the procurement officer on the award document.*

<b>Average Contract Value (Excluding Delivery Orders):</b>	\$116,551.62
<b>Average Transaction Amount (Including Delivery Orders):</b>	\$11,315.67

## Procurement Type Breakdown

Procurement Type Name	Total Count Per Type	Count Percentage	Procurement Type Amount	Amount Percentage
Central Purchase Order	380	1.07%	\$57,256,043.31	14.25%
Central Contract	214	.603%	\$30,097,731.10	7.49%
Central Master Agreement*	733	2.06%	\$0.00*	0.00%
Central Direct Award	92	.26%	\$16,768,279.34	4.17%
Central Emergency Purchase	38	.11%	\$2,654,862.73	.66%
Statewide Contract (Open-End)*	51	.14%	\$0.00	0.00%
Agency Delivery Order**	33,261	93.69%	\$141,593,329.00	35.25%
Central Delivery Order	713	2.01%	\$153,366,303.59	38.18%
Other***	20	0.06%	\$3,607.67	0.0009%
<b>TOTAL</b>	<b>35,502</b>	<b>100.00%</b>	<b>\$401,740,156.74</b>	<b>100.00%</b>

\*Central Master Agreements, including statewide contracts, are open-end contracts issued by the Purchasing Division from which delivery orders may be made. A delivery order issued from a Central Master Agreement at the agency level is an agency delivery order. Delivery orders that must be processed through the Purchasing Division are central delivery orders.

\*\* For the purpose of this Annual Report, only agency delivery orders made against a Central Master Agreement issued by the Purchasing Division are included.

\*\*\*The "other" category includes central sole source procurements, piggyback delivery orders, agency cancel and re-award procurements, and central cancel and re-award procurements.

\*\*\*\* Because of the differing ways in which wvOASIS calculates total contracts processed in the system as a result of multiple state procurement officials contributing to the procurement process, there are conflicting total contract counts found within this report's data. The number selected for the official record is the highest total in order to reflect the most accurate amount of state agency work processed.

## Top Agencies by Volume

(including Award Transactions and Delivery Orders)

Agency	Total Volume	Total Count
Department of Health and Human Resources	\$80,367,488.45	3,234
Division of Highways	\$58,525,273.01	1,113
General Services Division	\$35,935,887.49	1,381
Information Services and Communications	\$25,032,333.11	878
West Virginia Development Office	\$22,790,137.24	547
Department of Revenue	\$17,326,807.26	571
Division of Natural Resources	\$15,095,617.36	1,379
Department of Environmental Protection	\$14,143,320.86	3,532
Division of Motor Vehicles	\$7,173,413.58	1,436
Division of Corrections and Rehabilitation	\$6,845,400.60	7,244
Adjutant General	\$6,280,115.84	366
Veterans Assistance	\$4,686,773.47	1,518
Division of Rehabilitation Services	\$1,767,464.87	1,038
WorkForce West Virginia	\$1,662,976.90	372
Department of Education	\$1,280,674.03	1,970
Public Service Commission	\$1,218,111.83	471

\* Note that state agencies that are fully or partially exempt from the Purchasing Division's authority may issue delivery orders against the Purchasing Division's statewide contracts. The statistics above include delivery orders that are processed at the agency level against statewide contracts issued by the Purchasing Division.

## **Top Frequently-Purchased Commodities by Count\***

*(Including Delivery Orders)*

<b>Commodity Type and Name</b>	<b>Total Count</b>	<b>Total Value</b>
<b>44120000 – Office Supplies</b>	36,598	\$2,738,464.50
<b>93131607 – Food distribution services</b>	14,384	\$326,739.73
<b>23150000 – Industrial process machinery and equipment and supplies</b>	11,322	\$4,268,836.69
<b>80161801– Photocopier rental or leasing service</b>	7,835	\$2,656,235.67
<b>44101501 – Photocopiers</b>	4,136	\$455,725.76
<b>78181507 – Automotive and light truck maintenance and repair</b>	2,887	\$3,251,437.56
<b>50202301 – Water</b>	2,824	\$222,915.16
<b>47131801– Floor cleaners</b>	2,744	\$838,808.65
<b>43210000 – Computer equipment and accessories</b>	2,692	\$7,849,183.27
<b>15100000 – Fuels</b>	2,574	\$7,901,346.58
<b>25172500 – Tires and tire tubes</b>	2,522	\$977,989.72
<b>83111603– Cellular telephone services</b>	2,305	\$1,594,177.77
<b>76101602 – Asbestos removal or encapsulation</b>	2,085	\$498,196.17
<b>78111809 – Vehicle leasing of sedans or coupes or station wagons</b>	2,034	\$452,409.23
<b>95122101 – Residential home</b>	1,521	\$10,197,898.04

<b>Commodity Type and Name</b>	<b>Total Count</b>	<b>Total Value</b>
<b>76110000 – Cleaning and janitorial services</b>	1,264	\$9,030,698.13
<b>81112103 – World wide web WWW site design services</b>	1,246	\$2,511,417.91
<b>78131804 – Document storage services</b>	1,243	\$519,713.35

*\*The commodity data is based on UNSPSC Codes, which are used in the wvOASIS Enterprise Resource Planning System, and is extracted at the commodity level, not by transaction. Therefore, the total count is higher since each transaction may have more than one commodity line.*

*\*\*In order to assemble a clear picture of top commodities procured by commodity code, data had to be compiled and analyzed from different parts of the wvOASIS system in order to piece together the concise and legible chart included for FY2020.*

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## **Department of Education, WV Schools for the Deaf and the Blind**

### **P&E Building HVAC Upgrade and Renovation Project - \$1,170,000.00**

The Schools for the Deaf and the Blind solicited bids to establish a contract to reconfigure individual classrooms into larger, multi-grade and multi-instructional classrooms at the facility located in Romney, West Virginia.

## **Division of Natural Resources**

### **Bowden Hatchery 3 - \$6,266,000.00**

The Division of Natural Resources solicited bids to establish a contract for improvements to the existing Bowden State Fish Hatchery in Bowden, West Virginia. Repairs and improvements to the hatchery included repairs and renovations to the existing raceways, piping, hatchery nursery building, construction of a water recycling system and wastewater treatment system, and more.

### **Claudia Workman Wildlife Education Center - \$4,116,558.00**

The Division of Natural Resources solicited bids to establish a contract for construction of the Claudia Workman Wildlife Education Center. The new wildlife education center will feature a 7,000 square foot building dedicated to the area's wildlife and ecology, as well as a classroom to host groups.

### **Boat Access Sites on Lower Elk River - \$2,127,688.00**

The Division of Natural Resources solicited bids to establish a contract for the improvement of five access sites along the Elk River. As part of the project, the access sites will undergo the creation of parking areas, increased signage, and improvements to the boating access ramps themselves.

## **Contracts Issued on Behalf of Local Governments**

### **Fire Trucks**

The West Virginia Purchasing Division entered into contracts for the purchase of fire trucks with three vendors on behalf of the state's political subdivisions. The contracts were solicited through the National Association of State Procurement Officers.

## **Continuation of Processing RISE Bids**

The Purchasing Division continues to process Centralized Master Agreements (CMAs) for the RISE program. These contracts were issued to facilitate the reconstruction of homes damaged during the historic 2016 flooding. During Fiscal Year 2020, the Purchasing Division processed a total of **nine** CMAs accounting for **79** homes totaling **\$9,375,074.50**.

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## **General Accounting Expenditures (GAX) Payments**

*Approximately \$2.7 Billion*

The wvOASIS Enterprise Resource Planning system allows agencies to create payment transactions called General Accounting Expenditures (GAX). These transactions do not require any reference to a contract and cannot accurately account for spend on that contract. Therefore, these payments cannot be included in the reported statistics in this Annual Report.

During Fiscal Year 2020, according to wvOASIS reporting, the state of West Virginia processed **301,542** GAX payment transactions for a total payment of **\$2,784,870,738.50**. The average GAX payment was **\$9,235.43**.

## **West Virginia Purchasing Card Procurements**

*Approximately \$580 Million*

The Purchasing Division is responsible for issuing the contract to administer the West Virginia Purchasing Card Program. In coordination with the State Auditor's office, this program processes payments made by state employees authorized to use their Purchasing Card. If the Purchasing Card transaction is not referenced to an existing contract, the Purchasing Division is unable to connect the payment to a specific contract. For Fiscal Year 2020, according to wvOASIS reporting, the state of West Virginia processed **363,080** Purchasing Card transactions for a total payment of **\$580,346,099.50**. The average Purchasing Card payment was **\$1,598.40**.

## **Comparability with Legacy Systems**

Most of the data presented in this Annual Report is based upon established reports made available to the Purchasing Division through the Business Intelligence feature of the wvOASIS Enterprise Resource Planning system.

Many legacy systems, including the TEAM Automated Purchasing System that was used for processing and reporting from 1991 to 2014, were used to calculate statistical data for this Annual Report in the past.

Any comparison between the Fiscal Year 2020 Annual Report and prior annual reports using these legacy systems for reporting is subject to significant variation and should be considered with proper caution.

## **Use of Statewide Contracts by Exempt Agencies**

As a result of state agencies acquiring legislative exemptions to W. Va. Code § 5A-3, the West Virginia Enterprise Resource Planning Board has converted many Purchasing Division-administered contracts

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in the *wv*OASIS system for use by the newly-exempt agency. After the effective date of the legislative exemption from the Purchasing Division, these agencies continue to benefit from the centralized contracting process. Competitively-bid contracts created by the Purchasing Division in previous fiscal years and used by currently-exempted agencies accounted for millions in exempted state agency spend during Fiscal Year 2020.

# Legislative Action

The following information reflects the legislative changes that occurred during Fiscal Year 2020 that affected the state procurement process:

- **Senate Bill 193** – Established procurement submission deadlines that apply only to open-end contracts over \$1,000,000. Agencies must now submit completed specifications one year prior to contract expiration or at the time of the last one-year renewal, and the Purchasing Division must complete the bidding process within 180 days (or six months) of approving those specifications.
- **Senate Bill 322** – Added services to secondary bidding.
- **House Bill 4130** – Allowed for open-end bidding of construction during state of emergency situations. This was in response to the RISE situation and involved the efforts of many groups, including the Legislature, the Governor’s Office, and the Department of Commerce.
- **House Bill 4042** – Mandated that agencies exempt in part or in full from the Purchasing Division’s authority create its own rules, which must be hosted on the Purchasing Division’s website. The deadline for that rule creation was September 1, 2020. To date, only a few agencies have submitted those rules to our knowledge. The law requires any agency that did not create their rules to follow the Purchasing Division’s rules until such time that they formally create their own.

# Goals and Objectives

## Goal

Provide educational and informative tools to agency procurement officers to ensure the State is achieving the best value.

### **Objective:**

Provide training on purchasing rules, regulations and procedures to representatives of at least 75% of all state agencies under the Purchasing Division's authority (excluding boards and commissions) at the agency's annual Purchasing Conference.

*Fiscal Year 2020 Performance Measure:* 82% of agency representatives in attendance

### **Objective:**

Conduct a minimum of 30 hours of in-person training workshops for agency purchasers on purchasing laws, rules and procedures.

*Fiscal Year 2020 Performance Measure:* 86 hours of in-person training workshops offered

### **Objective:**

Make available on the Purchasing Division's website a minimum of 10 online resource modules for agency purchasers on purchasing laws, rules and procedures.

*Fiscal Year 2020 Performance Measure:* 13 online resource modules available

### **Objective:**

Monitor purchasing training activity of 100% of all agency designated procurement officers and other state employees who conduct purchasing as a primary job function who have been reported to the Purchasing Division.

*Fiscal Year 2020 Performance Measure:* 100% of agency designated procurement officers monitored

## Goal

Ensure accountability through proactive auditing and documentation review.

### **Objective:**

Maintain a rate of formal protests of four percent or less through dispute resolution and process education.

*Fiscal Year 2020 Performance Measure:* 1.49% protest rate