

# THE BUYERS NETWORK

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

## Changes Made for Compliance

### Privacy Issues Affecting State Procurement Contracts Outlined for Agency Purchasers

Recent trends involving large scale breaches of privacy have prompted many Fortune 500 companies, such as General Motors, Hewlett Packard, Citi Corporation and Verizon, to implement comprehensive privacy programs in an effort to protect the company's most important asset – information.

State government should be no exception. Former Governor Bob Wise issued an Executive Order that dealt with the privacy of information, which has continued under Gov. Joe Manchin III. The Health Care Authority, through this Order, has been designated to

manage the privacy program for the executive branch agencies.

State government is in the business, particularly the Department of Administration, of collecting, using and storing names, addresses, social security numbers, health and financial information and other personally identifiable information (PII) about its employees, as well as state citizens, in order to perform its operational functions.

This information is stored in various locations, formats and agencies. In order to protect this information from improper use and disclosure, the department will be implementing policies and procedures designed to protect it.

The Purchasing Division has recently added to its website a page relating to privacy information, accessible at <http://www.state.wv.us/admin/purchase/privacy>. The purpose of this web page is to provide links to policies and information regarding privacy and confidentiality.



**Continued on Page 4**

### Change Made to No-Debt Affidavit to Include Confidentiality Language

The **No-Debt Affidavit** was revised, effective February 8, 2006, to include language relating to confidentiality. The revised form states:

"CONFIDENTIALITY: The vendor agrees that he or she will not disclose to anyone, directly or indirectly, any such personally identifiable information or other confidential information gained from the agency, unless the individual who is the subject of the information consents to the disclosure in writing or the disclosure is made pursuant to the agency's policies, procedures and rules. Vendors should visit <http://www.state.wv.us/admin/purchase/privacy> for the Notice of Agency Confidentiality Policies.

The revised form may be accessed at the Purchasing Division's website at <http://www.state.wv.us/admin/purchase/vrc/pforms.htm>.

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# THE PURCHASING DIRECTOR'S COMMENTS



## Adequate Resources Expand Possibilities

By Dave Tincher  
State Purchasing Director

The old saying that you have to have the right tools to get the job done is not far from the truth.

No matter what profession you may pursue, if you lack the adequate resources, the task will either not be accomplished or will not meet the expectations that you place on yourself.

The Purchasing Division has been fortunate to maintain a staff of professional, talented individuals .....who, unfortunately, have been stretched to the limit for many years.

In the last issue of the *Buyers Network*, we introduced two new senior buyers who, within a short period of time, have acclimated to the environment and the job. In our next issue, we will be introducing two more senior buyers who will be joining our buying staff. The division can now focus on enhanced customer service to state agencies and vendors.

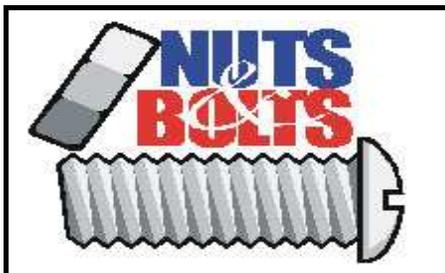
The current purchasing reform effort has allowed us to look more closely at processes and procedures presently in place. With that review, we have realized areas that need modified in order to focus on the outcome rather than the process.

Discussions of pursuing an e-pro-

urement system will also make life different for agency purchasing officials, however, change is needed in this area.

Technology will improve the manner in which we procure goods and services. In addition, it will allow us to gather the data necessary to make effective business decisions.

Please join our staff in celebrating the changes that may be realized in the upcoming months. And, as always, we welcome suggestions and ideas from our agency and vendor partners.



## What's State Government Buying?

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

- ◆ The 61st Annual Forum and Products Exposition, sponsored by the National Institute of Governmental Purchasing (NIGP), is scheduled for August 5-9 at the Tampa Convention Center in Florida. Online registration is now available at <http://www.nigp.org/events/Forum.htm>.
- ◆ The State Legislature's website offers valuable information during legislative sessions, including the current bill status. The public may also view the entire *West Virginia Code*, interactive district maps, committee agendas and a membership listing at [www.legis.state.wv.us](http://www.legis.state.wv.us).

- ◆ **Division of Homeland Security and Emergency Management**  
Request to review, revise and rewrite the State of West Virginia's Emergency Operation Plan.
- ◆ **State Treasurer's Office**  
Request to provide updated addresses for owners of unclaimed property.
- ◆ **Department of Education**  
Request to provide the West Virginia Test of English Language Learning (WESTELL) assessment of all state limited English proficient students.
- ◆ **State Police**  
Request to provide milk and dairy products to the State Police Academy in Institute.
- ◆ **Department of Administration**  
Request to install an airborne data system spectra-view camera into the State's Cessna 208B Caravan airplane.

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# The Use of Specified State-owned Facilities May Eliminate Paperwork for State Agencies

Clarification on the use of state-owned facilities has recently been made, allowing certain properties to be used with only one requirement: a Request for Hospitality Services form must be completed.

For events expected to exceed \$10,000, this form must be submitted to the Purchasing Division; for events less than \$10,000, the form must be maintained at the agency level. If a facility is used which is not state-owned, the proper paperwork as outlined within this article must be submitted.

The state-owned facilities are as follows:

- Cedar Lakes Conference Center
- Audra State Park
- Babcock State Park
- Beech Fork State Park
- Berkeley Springs State Park
- Berwind Lake WMA
- Blackwater Falls State Park
- Blennerhassett Island State Park
- Bluestone State Park
- Cabwaylingo State Forest
- Cacapon Resort State Park
- Camp Creek State Park
- Carnifex Ferry State Park
- Cass Scenic Railroad State Park
- Cedar Creek State Park
- Chief Logan State Park
- Coopers Rock State Forest
- Droop Mountain State Park
- Greenbrier State Forest
- Hawks Nest State Park
- Holly River State Park
- Kanawha State Forest
- Kumbrabow State Forest
- Laurel Lake WMA
- Little Beaver State Park
- Lost River State Park
- Moncove Lake State Park
- North Bend State Park

- Panther State Forest
- Pipestem State Park
- Plum Orchard Lake WMA
- Prickett's Fort State Park
- Seneca State Forest
- Tomlinson Run State Park
- Twin Falls State Park
- Tygart Lake State Park
- Valley Falls State Park
- Watoga State Park
- Watters Smith State Park

The Request for Hospitality Services form is required for all uses of facilities. In absence of a facility contract, an agreement must also be used, which may be accessed at the Purchasing Division's Intranet site at <http://intranet.state.wv.us/admin/purchase>.

The guidelines for acquiring hospitality services which are not state-owned and included on the list of facilities to the left are listed below:

## **Over \$10,000**

*Documents required:*

- Purchase Requisition [WV-35]
- Request for Hospitality Services WVFIMS Agency Cover Sheet [P-Document]
- Verify vendor eligibility [check for suspension or debarment]
- Original vendor price quote
- No-debt affidavit [signed by vendor]
- Agency justification letter
- Agreement [WV-48] - in absence of a facility contract
- Agreement Addendum (WV-96), if vendor has own terms and conditions
- Seek competition, where available

Hospitality service requests with the appropriate documentation must be submitted to the Purchasing Division in advance for approval.



Please note that all required paperwork is to be submitted no less than 30 days prior to the scheduled event.

## **\$10,000 or Less**

**Note:** *These requests are no longer required to be submitted to the Purchasing Division; however, all documentation must be retained at the agency level.*

*Documents required:*

- Request for Hospitality Services Agreement Addendum (WV-96), if vendor has own terms and conditions
- Verify vendor eligibility [check for suspension or debarment]
- Original vendor price quote
- No-debt affidavit [signed by vendor]
- Agency justification letter
- Seek competition, where available
- Documentation must be retained at the agency.

Agencies are encouraged to utilize the MOTL06A statewide contract, when possible, which offers discounted rates on facilities in the state.

For additional information, contact Karen Byrd, Assistant Purchasing Director, at (304) 558-4317.

## The Month of March is Declared as "Purchasing Month"

State procurement agents are a member of an elite group of professionals that have made a difference in governmental efficiency and effectiveness. For this reason, celebrate! Make sure to take time this March to celebrate your accomplishments and contributions during **National Purchasing Month**.

The importance of proclaiming a month throughout the year as National Purchasing Month is to promote public procurement. By highlighting these individuals, government officials, students and the public can understand the value of what the profession contributes.

Public purchasers have progressed greatly in the past 60 years to increase professionalism and ethics in the entire purchasing process. At the state and agency level, a stronger focus has been made on research and development in contracting with businesses. In

addition, the importance of continually reviewing new products, benefits and services has been made to enhance our offerings.

During the month of March, it is your efforts that bring attention to the procurement profession. What is the purpose of National Purchasing Month? This is your month to get noticed for all your hard work. Your efforts to get the word out on how critical your professional services are to your agency helps not only to promote you, but your profession.

Let's make the public and your co-workers aware of what public purchasing is all about!

### MoneyWise...

#### Tips for the Thrifty

##### Hybrid Owners Get a Break on Car Insurance

It is not that hybrids are essentially safer than other cars, but that insurance companies say their drivers have 'preferred insurance characteristics.' They are safer and lower-risk drivers, and they have fewer claims than drivers of non-hybrid vehicles.

Travelers insurance is offering a 10 percent discount, and Farmers Insurance offers five percent in California, for example. These companies and others hope to attract more business from hybrid owners as the number of hybrid cars in the U.S. increases.

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### Purchasing Privacy Issues

Continued from Page 1

There are two links on this page. The West Virginia Privacy Statement pertains to the use of state government websites. The Notice of Agency Confidentiality Policies serves to inform vendors holding state contracts as to the types of information that need to be safeguarded and their responsibilities.

This project includes taking steps to ensure that all of the state's vendors are held accountable for their use and disclosure of agencies' PII. This will be done by adding provisions to all state contracts. It is important for agency purchasers to become familiar with these privacy guidelines as they relate to state

procurement issues.

"A privacy program is a relatively new concept in state government," Michael Harmon, the Department of Administration's Privacy Officer, said, "and involves a cultural change which would be difficult without the strong executive support for this program from the governor and cabinet secretary."

Another change that is currently being reviewed is the use of Social Security Numbers (SSN) on purchase orders, in cases where a successful vendor is an individual rather than a corporation, thus, using a SSN rather than a Federal Employers Identification Number (FEIN).

"We don't want to request the Social Security Number unless

we need it for a specific purpose. The less we collect, the less we'll need to maintain, which, in turn, reduces the likelihood of an inappropriate use or disclosure," Harmon said.

This effort is not just about HIPAA, Harmon adds. It is on a much larger scale and affects all agencies in the department. "Privacy and security go hand-in-hand," Harmon said. "Agencies cannot protect the privacy of PII without the appropriate physical, technical and administrative safeguards."

Any inappropriate use of PII should be reported to Harmon at 558-6244, extension 210. For privacy issues directly relating to the Purchasing Division, please contact our division's privacy coordinator, Dan Miller, at 558-2314 or via email at [team@wvadmin.gov](mailto:team@wvadmin.gov).

## Correctional Industries Serves as a Statewide Contract Vendor for Identification Inventory Tags

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

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

ive, plastic decals used to identify state property. The numbered tags on state property correlate to inventory data entered into the WVFIMS Fixed Assets System.

The tags are similar to the reflective decals on your license plate. "The tag is standard black with silver metallic. However, we can make them in red, green, yellow, orange or whatever color an agency may want. The decals can be customized to different sizes, but cannot exceed the 1.125 inch specification. They also can be numbered consecutively," Slack said.

Slack would like to make state government agencies aware of Correctional Industries and all the products and services they offer, in addition to the identification inventory tag statewide contract. She says they are in the process of developing a business and marketing plan. One area which has consistently gained attention is the furniture which they offer to the customer's specification. For instance, in-

Since 1939, West Virginia Correctional Industries has served as a correctional program and a business entity. At that time, it was called West Virginia Prison Industries and, for years, its only production was making license plates for vehicles at the maximum security prison.

"Throughout the years, we have grown tremendously," said Business Manager Betty Slack. "We now make office and dormitory furniture, seating, inmate clothing, cleaning and hygiene supplies, mattresses, as well as provide engraving and printing services and even offers linen products. We have approximately 18-20 production shops now in operation in six locations."

West Virginia Correctional Industries (CI) services the statewide contract for identification inventory tags (TAG03). These tags are the reflective,



**Pictured is just one of the many items that Correctional Industries offers to state agencies. This chair is available in different fabrics.**



**Business Manager Betty Slack wants all state government to be aware of all the products Correctional Industries offer, such as office and dormitory furniture. Her chair and desk are just a few of the products they provide.**

dividuals can come in and not only select a particular chair they like but also choose from a selection of stylish fabrics at a fraction of the cost.

By offering a wide selection of services, Slack said the training opportunities for the inmates continue to improve. The inmates are taught valuable work ethics as well as marketable skills. At the maximum security prisons, there are individuals with life sentences; therefore, these production shops help reduce inmate idleness and behavior setbacks.

This contract is available on the Purchasing Division's website at <http://www.state.wv.us/admin/purchase/swc/TAG.htm>. For information on obtaining their services, please contact:

Chuck Welling, Superintendent  
St. Marys Correctional Center  
Route 2, Box 383B  
St. Marys, WV 26170  
(304) 684-5521  
Fax: (304) 684-5522

# Current Statewide Contract Update

(As of February 15, 2006)

This page includes a listing of current changes made to statewide contracts issued by the Purchasing Division. Information and dates listed in this **Current Statewide Contract Update** are subject to change. All statewide contracts are available online at [www.state.wv.us/admin/purchase/swc](http://www.state.wv.us/admin/purchase/swc). For more information, please contact Senior Buyer Betty Francisco at (304) 558-0468 or via e-mail at [bfrancisco@wvadmin.gov](mailto:bfrancisco@wvadmin.gov).

## Contracts Awarded

<u>Contract</u>	<u>Description</u>	<u>Vendors</u>	<u>Effective Date</u>
ALCOHOL	Ethyl Alcohol	Aaper Alcohol	02/01/06
MOTEL	Discount Lodging	Various	01/01/06

## Contracts Under Evaluation

<u>Contract</u>	<u>Description</u>	<u>Bid Opening</u>	<u>Under Evaluation</u>
TCARD	Travel Card Services	10/20/05	Yes

## Contracts Out for Bid

<u>Contract</u>	<u>Description</u>	<u>Pre-Bid Meeting</u>	<u>Bid Opening</u>
ITECH06	IT Temporary Employees	02/16/06	02/28/06

## Miscellaneous Action on Statewide Contracts

<u>Contract</u>	<u>Description</u>	<u>Vendor</u>	<u>Comment</u>
DIGCOP04 [B, C, F, G]	Copiers	Superior Office, Model changes Komax, Business, Kyocera Mita America, Lanier	
MV06C	Motor Vehicles	General Truck Sales	Add option available
IP06	Information Processing Equipment	Lenovo	Replace product list and other misc. changes; New price list
TEMP04E	Temporary Employees	Express Services	Vendor changed registration - name change
WAN04	Wide Area Network	Verizon	New price list

## Contracts Out for Bid, Continued

<u>Contract</u>	<u>Description</u>	<u>Pre-Bid Meeting</u>	<u>Bid Opening</u>
CABLE06A	Computer Cabling	None	03/09/06
CELPHON06	Cellular Telephones	02/28/06	03/22/06
LABSUP06A	Laboratory Supplies	03/14/06	03/28/06

## Contracts Reviewed

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

### MARCH

ENTERPZ ..... Microsoft Enterprise Products  
 FILTER ..... Oil, Gas and Air Filters  
 LGLOVES ..... Latex Gloves

### APRIL

AEBATT ..... Automotive and Equipment Batteries  
 DATA ..... Data Circuits  
 FUEL ..... Motor and Heating Fuel  
 SAFETY ..... Safety Supplies  
 SELECT ..... Microsoft Products  
 TAG ..... ID Tags

## FOR MORE INFORMATION... Who Are You Going to Call?

Below is a list of the Purchasing Division buyers who are assigned specific agencies.

Unassigned File ..... **John Abbott** (558-2544)  
 Unassigned File ..... **Michael Austin** (558-2316)  
 Unassigned File ..... **Krista Ferrell** (558-2596)  
 Unassigned File ..... **Roberta Wagner** (558-0067)  
 File 23 ..... **Chuck Bowman** (558-2157)  
 File 33 ..... **John Johnston** (558-2402)  
 File 41 ..... **Ron Price** (558-0492)  
 File 42 [SWCs] ..... **Betty Francisco** (558-0468)

# PURCHASING CONNECTION

## Specifications... The Foundation of Procurement

One of the most important tasks performed as a public purchaser is the proper preparation of specifications.

All too often though, this is the weakest part of the purchaser's efforts. Most problems that arise during the purchasing process can be directly attributed to poorly prepared specifications. After all, specifications are the foundation of the entire purchasing process. *Why then do we continue to see ill-prepared specifications?*

The basic reason is that little attention is given to establishing actual needs in relation to availability of goods and services to meet those actual needs. Too often, a brand name and model number, without any reference to only necessary features and functions, is all that is indicated on a requisition for goods.

By the same token, only a cursory description of required performances will be indicated in the Request for Proposal. Important details are omitted. Well-meaning vendors submit quotations or proposals as to what is assumed are required, only to learn later that more or less was actually intended. Therein, problems begin with evaluation, award, or later with the actual performance of the good or services. Sounding familiar?

To overcome this tendency to prepare inadequate specifications, take the time to plan and research your actual needs. Indicate only the required functions and features.

Determine if more than one source can meet those requirements. Do not make the mistake of gathering information from only one known source and then coupling that one availability to a given situation.

Not all features and functions of a known good or service may be actually required. Some goods and services are purposely "gold plated" to make them distinctive. The problem with "gold plating" is that you will pay for something that is not needed.

Some specifications have been known to copy descriptions directly from a vendor's literature – tack on the clause "or equal" – expecting bidders to match their goods and services to that description. This is an impossibility, in reality, because no two products can be identical under these terms. Patents, trademarks and copyright laws prevent it.

In preparing specifications, it is necessary to set levels of quality. In fact, this is a necessary part of the public purchaser's function. It is entirely permissible to "lock out" – or restrict – goods and services that are not desirable to perform a requirement.

However, it is not permissible to "lock in" or favor goods and services that may be preferred, for whatever reason, to meet needs. This, in fact, is what occurs, whether intentional or not, whenever brand name specifications are improperly used.

As public purchasers, we have a legal responsibility to foster competitive bidding procedures. It is mandated by **West Virginia Code**, as well as good purchasing practices and procedures.

Good competitive specifications foster good competitive bidding. It benefits you as a public purchaser in that you will obtain goods and services that produce good value – the right price, right quality, from the right source.

### Parking Tasks Consolidated within Department of Administration



To provide consistency, a decision within the Department of Administration was made to consolidate all aspects of parking under one division.

This responsibility has been split among the Purchasing Division, Finance Division and the General Services Division for many years; however, effective February 4, 2006, all parking duties are now under the General Services Division.

As in any organization, parking is an issue of interest for employees and visitors, with good communication and clear, concise procedures both a necessity. The Purchasing Division has appreciated the cooperation throughout the years from our agency parking coordinators.

# Questions?...Just Ask Us!

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

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

**Diane Holley**, Assistant Director  
Communication and Technical Services Section  
West Virginia Purchasing Division  
State Capitol Complex  
2019 Washington Street, East  
P.O. Box 50130  
Charleston, WV 25305-0130  
E-Mail Address: [dholley@wvadmin.gov](mailto:dholley@wvadmin.gov)



Name \_\_\_\_\_  
Organization \_\_\_\_\_  
Address \_\_\_\_\_  
Telephone Number \_\_\_\_\_  
E-Mail Address \_\_\_\_\_  
Need Information about \_\_\_\_\_  
\_\_\_\_\_

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