THE BUYERS NETWORK

MARCH 2015

VOL. 25, ISSUE 3

THE BUYERS NETWORK

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

March is Purchasing Month in West Virginia

Gov. Earl Ray Tomblin has proclaimed that March 2015 be recognized as "Purchasing Month" throughout the state of West Virginia.

The Purchasing Division is pleased be part of the initiative for this annual national proclamation, which began in our state in March 2011. The proclamation highlights the initiatives which develop, support and promote public procurement practitioners through educational and research programs.

"The Purchasing Division has always prided itself on being serious stewards of the taxpayers' dollar," said Purchasing Director Dave Tincher. "The Purchasing Division staff strives to ensure that state spending is both ethical and efficient, and this proclamation reflects Gov. Tomblin's acknowledgement of those efforts."

Public purchasers perform a vital function toward the operation of state government. The integrity and professionalism of state purchasers are valued by the public, who entrusts the spending of its tax dollars.

To commemorate Purchasing Month, procurement officers are invited to the Purchasing Division office at 2019 Washington Street East on Thursday, March 12, from 11:30 a.m.-1 p.m. for a cake reception.

The official proclamation is on display at the Purchasing Division office.



Celebrate Purchasing Month

To commemorate
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Purchasing Division
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INSIDE...

- Director's Comments: Legislative Audit Highlights Positive Practices of Purchasing Division and Offers Recommendations
- Revised Section 9 List Available for Review on Website
- Conference Planning Continues Following Analysis of Agency Purchaser Questionnaire

Purchasing Division Open House Set for May 5

The Purchasing Division is pleased to remind state agency purchasers to mark their calendars for Tuesday, May 5, for its annual Purchasing Division Open House. The event will take place from 10 a.m.–2 p.m. at the agency's office at 2019 Washington Street East.

For the eighth consecutive year, the Purchasing Division will host the event, which provides opportunities for agency personnel to network with their peers and Purchasing Division staff, as well as attend informational sessions, enjoy refreshments, and more. All individuals required to procure under *West Virginia Code* §5A-3 are welcome to attend.

This year, the Open House will offer four 30-minute informational sessions. "The informational sessions have been extremely popular and successful in the past, and they have become a regular part of this event," said Purchasing Director Dave Tincher. "This year, we have three different session

Please see OPEN HOUSE, Page 3

Highlights

- Four informational sessions;
- Virtual tours of the Purchasing Division website;
- Meet with any Purchasing Division staff member; and
- A chance to win complimentary registration to 2015 Agency Purchasing Conference.

THE DIRECTOR'S COMMENTS

Legislative Session Reviews Proposed Changes to Legislative Rule Concerning Purchasing Division

By Purchasing Director Dave Tincher

It's that time of year again... the State Capitol is filled with more people and many more activities. It is clear that the West Virginia Legislature is in session. This year, the Purchasing Division's legislative rule is being reviewed which incorporates many aspects of the legislation that passed last year.

Senate Bill 356 was signed into law, which codified master agreements with a direct ordering process, reverse auctions and mandatory training for highlevel officials. These changes to *West Virginia Code* moved the state forward by including an additional layer of transparency to the processes we utilize when spending taxpayers' dollars and seeking to educate and inform any individual who may play a role in such purchases.

The Purchasing Division drafted

proposed rules which were available for public comment last summer. The proposed rule includes information on these processes as well as change orders. Change orders are currently not included in the Purchasing Division's legislative rule; however, the revised rule will further clarify change orders, in addition to other processes.

tion to other processes, for state procurement officials.

We continue to track legislation through the session and respond to fiscal note requests as well to provide as much information as is necessary to assist the members of the Legislature through their review of various bills that were introduced.



Once bills have been signed into law, the Purchasing Division will provide our state agency purchasers with an overview of any bill directly related to or impacting the state purchasing process. We will provide this final list of legislation affecting the state purchasing process in an upcoming issue of The Buyers

Network.

Additionally, I wanted to let all of our agency procurement officers know that the Purchasing Division has scheduled an informational session on legislative updates as part of our Open House scheduled for Tuesday, May 5, at the Purchasing Division Offices. Save this date and join us to learn more.

Revised List of Section 9 Commodities and Services Posted to Purchasing Division Website, Effective July 1

The Purchasing Division would like to thank all agency designated procurement officers for their assistance during its thorough review of the list of non-competitive, exempt commodities and services, which are incorporated as Section 9 of the Purchasing Division Procedures Handbook. The revised list goes into effect July 1, 2015, and may be viewed on the Purchasing Division's news webpage at www. state.wv.us/admin/purchase/news.html.

In accordance with *West Virginia Code* §5A-3-10 and the *Code of State Rules* §148-1-4, the Director has determined that it is not possible to obtain certain commodities and services through the competitive bidding process. Those commodities and services have been identified in the Division's Non-Competitive/Exempt List of Commodities and Services (hereinafter referred to as "Exempt List").

Purchasing Division approval is not required for these Exempt List procurements, unless specifically noted. Vendor registration and all other requirements for the dollar amount of the purchase are mandatory for contracts for these commodities and services; however, under authority granted by the *Code of State Rules*, the director has determined that it is in the best interest of the state to waive the vendor registration fee for all vendors providing commodities and/or services under Section 9.

This revised Exempt List resulted from an extensive review of the existing list of non-competitive, exempt commodities and services. The Purchasing Division reached out to state agency procurement officers in May and September of 2014 and requested proper justification for commodities and services on the list, reminding agency purchasers of the distinction between these types of commodities and services and those considered sole source.

Purchasing Director Dave Tincher said the Purchasing Division staff met repeatedly to review the list, discuss agency feedback, and evaluate whether the commodities and services met the definition of the statutory requirement which states that competitive bids are not possible to obtain. "We are extremely grateful for the responses from our agency

Please see SECTION 9, Page 8

Section 9

goes into effect July

Purchasing Division's

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news webpage at

www.state.wv.us/

admin/purchase/

news.html

The revised list

2

OPEN HOUSE

Continued from Page 1

topics, and will be repeating one of those sessions due to the importance of its content."

The topics and times are as follows:

- Know the Rules... They're Changing / 10:30-11 a.m.
- New to Purchasing? Know the Steps / 11:15-11:45 a.m.
- Know the Rules... They're Changing / 12:30-1 p.m.
- Vendor Registration Creation and Maintenance / 1:15-1:45 p.m.

Purchasing staff will be available throughout the event to meet one-on-one with procurement officials to discuss general procurement-related topics or agency-specific situations.

A complimentary registration to the 2015 Agency Purchasing Conference will be given to one registered attendee. Food and beverages will be available



throughout the event.

For those interested in attending the Open House, please RSVP by April 30 to Public Information Specialist Chad Williamson at 304.558.2315 or Chad.B.Williamson@wv.gov.

Legislative Audit Provides Purchasing Division with Opportunities for Continued Improvement

"The West Virginia Purchasing Division takes this feedback from the Legislative Auditor very seriously."

> **Dave Tincher Purchasing Director**

As mentioned in last month's issue of *The Buyers Net*work, the West Virginia Legislative Auditor recently completed an audit of the West Virginia Purchasing Division, as part of a more comprehensive audit of the Department of Administration. The final report for the Purchasing Division, which assessed the agency's current internal controls as well as its transparency, identified 11 recommendations to the Division's processes, transparency, and accountability. The Purchasing Division is pleased to share some of the findings as well as the steps already taken or planned to address the audit.

"The West Virginia Purchasing Division takes this feedback from the Legislative Auditor very seriously," said Purchasing Director Dave Tincher. "We want to ensure that the Division is doing everything in its power to provide transparency, consistency among its processes, and operating our programs and services as efficiently and effectively as possible."

Please see AUDIT, Page 7



What's Your Question?

My agency is writing specifications for a request for quotation, but we are not sure what we need to do first. Help!

When writing specifications, the first step an agency should take is to define the agency's need. Ask questions like, "What does the agency need and how much of it do they need?" "Where does the agency want it delivered and when will delivery be accepted?" and "What alternatives or options are available to satisfy the agency's need?"

It may be necessary for the agency to research the market to gain a better understanding of the commodity or service, finding out what is available to meet the agency's need and who provides it.

Agencies may talk to other agencies or to vendors themselves. However, please note that vendors cannot be paid for the consultation, cannot influence specifications in their favor, and more than one vendor should be contacted.

Once the agency has a clear understanding of the commodity or service

Please see QUESTION, Page 8

THE BUYERS NETWORK

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Jason Pizatella Secretary Department of Administration

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> **Diane Holley-Brown** Samantha Knapp Editors

> **Chad Williamson** Contributing Reporter

Pre-Bid Conference Recommended Early in Process on Major Acquisitions

The Purchasing Division recommends that agencies consider conducting pre-bid conferences on major acquisitions early in the bid process to provide an opportunity to explain and clarify critical aspects of the solicitation, eliminate misunderstandings and encourage vendor participation.

These conferences are conducted by the state agency with potential bidders when solicitations for complex, large dollar requirements are processed.

The Purchasing Division may participate in these pre-bid conferences. In <u>all</u> cases, it is very important for the agency procurement officer or designee, who is trained and knowledgeable of the state procurement process, to attend these conferences.

Vendor attendance at conferences may be optional or mandatory, as described in the bid document. If mandatory attendance is required, only bids or proposals from those vendors represented at the conference will be accepted.

If participating vendors sign the official sign-in sheet while the meeting is in progress, then the vendors will be treated as if they were present for the entire conference and will be deemed to have the knowledge that they would have had if attending the

Please see PRE-BID, Page 5



Laura Hooper, left, and Stephanie Gale have joined the Purchasing Division's Acquisition and Contract Administration staff as buyers. They are assisting with the processing of purchasing transactions for various agencies.

Purchasing Welcomes Two Buyers

The Purchasing Division is pleased to welcome Stephanie Gale and Laura Hooper to the Acquisition and Contract Administration (ACA) staff. Both Gale and Hooper join the staff as buyers.

Gale is a resident of Charleston. She graduated from Marshall University with a Regent Bachelor of Arts degree and holds a Master of Arts degree in Learning and Teaching from the National College of Ireland. Previously, she worked as a Staff Development Specialist for the Division of Personnel's Organization and Human Resource Development (OHRD) section. Prior to her job with OHRD, she lived in Ireland for six years and sang as part of a touring band. Gale is the mother of a sixmonth-old son.

Also a resident of Charleston, Hooper graduated from Marshall University with a Bachelor of Arts degree in Communication Studies and attained her Master of Business Administration degree from the University of Charleston. She previously worked in sales and procurement both in the public and private sectors. Hooper's hobbies include reading, hiking and jogging.

Please welcome Stephanie and Laura to the Purchasing Division family!

Open-Ended Contracts Require Centralized Master Agreement Requisitions

wvOASIS

For more information on wvOASIS, please visit wvOASIS.gov.

When submitting a requisition to the Purchasing Division, an agency should first determine what type of contract is needed. There are two types of requisitions which may be used, depending on the purchase type.

For example, Buyer Supervisor Tara Lyle said requisitions which are intended for open-ended contracts, or Centralized Master Agreements (CMA), must be submitted as Centralized Master Agreement Requisitions (CRQM). All other purchases, including one-time pur-

chases and fixed period contracts which could result in a Centralized Purchase Order or Centralized Contract, require a Centralized Standard Requisition (CRQS) to be submitted.

"Since most requisitions are one-time purchases, they are submitted in *wv*OASIS as a CRQS," she said. "However, if the intention for award is an open-

Please see OPEN-ENDED, Page 6

Purchasing Division Thanks Those Who Participated in Conference Questionnaire

In the February issue of *The Buyers Network*, the West Virginia Purchasing Division requested that state agency procurement officials complete a questionnaire regarding the 2015 Agency Purchasing Conference, which is scheduled for October 13-16, 2015, at Canaan Valley Resort in Davis, West Virginia.

The Division received more than 85 responses and would like to thank those purchasing officials who took time out of their busy schedules to participate.

As the Purchasing Division moves forward in planning the conference schedule over the next couple of months, it will take into careful consideration all feedback and will work diligently to incorporate those suggestions which are applicable and achievable utilizing the resources available. From conference topics to training tools, the Purchasing Division continuously strives to meet the needs of conference attendees each year.

Following the absence of an in-person conference in 2014, the Division looks forward to hosting all agency procurement officials at this three-day training event. The conference provides attendees with the opportunity to gain knowledge of the state procurement process, network with their peers, and meet one-on-one with Purchasing Division staff. Attendance at all conference workshops counts as credit toward the WV Procurement Certification Program's initial certification and re-certification.

Please note that lodging reservations may not be made until

Please see CONFERENCE, Page 6

PRE-BID

Continued from Page 4

Agency

Conference

questions may

be directed to

Administrative

Services Manager

304.558.7022 or

wv.gov.

Samantha Knapp at

Samantha.S.Knapp@

Conference

entire conference.

Teleconference attendance is prohibited unless specified in the bid document.

Sign-in sheets for mandatory pre-bid conferences should contain the following: name of company, person attending (signature and printed name), address, telephone number and facsimile number.

The header information on the sheets should include the requisition number and the date and time of the pre-bid conferences.

The original sheet must be submitted to the Purchasing Division. Be advised that no one individual may represent more than one vendor.

It is highly recommended that pre-

bid conferences be scheduled on Tuesdays through Thursdays between 10 a.m. and 3 p.m. to encourage more participation.

During the pre-bid conference, agency personnel will review the technical specifications and allow for discussion by item with all attendees.

All clarifying statements and questions shall be addressed formally on an addendum. Once the discussion of the technical specifications has concluded, the agency representative requests the Purchasing representative to discuss General Terms and Conditions of the solicitation.

Agency personnel should close the pre-bid conference with remarks and thank everyone for attending.



In-House Training: March/April 2015

March

- Wednesday, March 11:
 * An Introduction to West Virginia's State Purchasing Process
 9 a.m. - 4 p.m.
- Wednesday, March 25: Vendor Remedies 10 - 11 a.m.

April

- Wednesday, April 8: Specification Development & Contracts 9 - 11 a.m.
- Wednesday, April 15: Vendor Registration Procedures & Vendor/Customer Creation & Maintenance (Webinar)
 9 - 11 a.m.
- Wednesday, April 29:
 Solicitation Process: From Pre-Planning to Post-Award
 9 a.m. - 12 p.m.

Location

Purchasing Division's first floor conference room.

* This is the only session located in the West Virginia State Training Center's (Building 7) Regents Room

Registration

For more information or to register, visit **www.state.wv.us/admin/ purchase/training/inhouse.html**. First-come, first-served basis.

For more information

Administrative Services Manager Samantha Knapp at 304.558.7022 or **Samantha.S.Knapp@wv.gov**.

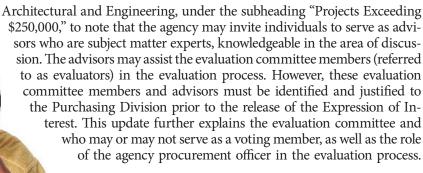
Recent Updates Made to Purchasing Division Procedures Handbook, Effective Feb. 13

To ensure that information in the *Purchasing Division Procedures Handbook* is current and accurate, the Purchasing Division recently made clarifications to its procedures. Notification was issued to all agency designated procurement officers of these changes, which went into effect February 13, 2015.

The changes include:

• Revised language in Subsection 7.2.4:
Request for Proposals, under the subheading "Evaluation Committee," to note that the Purchasing Division buyer may meet with the agency committee at the first evaluation meeting after the bid opening and provide committee training and general review of the proposals.

Revised language in Subsection 8.1:



• And new language included as Subsection 8.1.3, under the subheading "Non-Conflict Requirement for Expressions of Interest," to note that in order to ensure there is no conflict of interest in evaluating Expressions of Interest, the evaluators and/or advisor(s) are required by the Purchasing Division to sign a Certification of Non-Conflict of Interest, in accordance with the West Virginia Code §5A-3-31.

It is highly recommended that agency purchasers review the *Purchasing Division Procedures Handbook* often to ensure that they have a full understanding of the procedures guiding state procurement in West Virginia. It is important to view the most recent version, which is updated

periodically on the Purchasing Division's website. For a direct link to the *Purchasing Division Procedures Handbook*, please visit *www.state.wv.us/admin/purchase/Handbook*.

CONFERENCE

Continued from Page 3

three months prior to the conference (i.e. July 12 or later). Conference registration will open mid-July. Additional information will be shared in future issues of *The Buyers Network* and on the Purchasing Division Training Center's conference webpage as it becomes available.

Conference questions may be directed to Administrative Services Manager Samantha Knapp at 304.558.7022 or *Samantha.S.Knapp@wv.gov*.

OPEN-ENDED

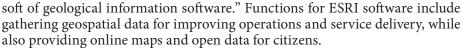
Continued from Page 4

ended contract, the requisition must be submitted as a CRQM, which can then be turned into a CMA in wvOASIS. Requisitions submitted in CRQS format for open-ended contracts will be rejected back to the agency, delaying the procurement process."

Geological Software Available Through ESRI Statewide Contract

A recently awarded statewide contract provides for geographic information software, data, web services, documentation, services and hardware. A sole source contract, the vendor for this contract is Environmental Systems Research Institute, Inc (ESRI).

"ESRI is a contract that will primarily be used by the Division of Highways and the West Virginia Geological and Economic Survey," said Buyer Supervisor Guy Nisbet. "ESRI is the Micro-



To review ESRI, visit www.state.wv.us/admin/purchase/swc/ESRI.htm. To review all statewide contracts, visit www.state.wv.us/admin/purchase/swc.

Interested in past issues of *The Buyers*Network? Be sure to check them out on
the Purchasing Division's website at:
www.state.wv.us/admin/purchase/BN/bnlist.html

AUDIT

Continued from Page 3

Notably, the Legislative Auditor recognized the Purchasing Division's goal to "foster competency in state agency purchasing staff and Division staff" through the use of its training program. However, one area of concern recognized in the final report is that training is not currently mandatory in *West Virginia Code* or the *Code of State Rules* for state government's purchasing officials who are primarily responsible for each agency's procurement, making an actual assessment of the training program's utilization rate an unattainable task.

To remedy this concern, the Purchasing Division e-mailed all primary agency designated purchasers in January seeking to identify the staff for each agency whose primary job function is to procure commodities or services for that agency. This list will allow the Purchasing Division to determine what percentage of state agency purchasers utilize its training program and how it might better reach out to those who have not sought the purchasing training opportunities. This list will be updated annually.

A second area of concern noted in the audit is the user-friendliness and transparency of the Purchasing Division's website. Although the Division prides itself on the site's content-focused format, it is taking steps toward making the site's features more prominent and easier to use, enhancing the site's overall efficiency. Several steps that have already been taken include providing foreign language accessibility, adding the physical address of the Purchasing Division to the "Contact Us" page, and providing a link to the Division of Personnel's web page to more easily access job postings.

Other changes expected to improve the functionality of the website include, but are not limited to, expanding the Site Map to include additional links, better promoting the Purchasing Division mobile app, incorporating all questions into a single Frequently Asked Questions index, and more.

Several components of the Legislative Audit recommendations have been incorporated in legislation introduced during the 2015 Regular Session of the State Legislature as well as in the proposed Legislative Rule, which are both currently being discussed. Based on the result of the Legislative Session, more action steps to address these recommendations will be confirmed. Check back in future issues of *The Buyers Network* to see what other changes the Purchasing Division makes to improve its transparency and accountability.

Assistant Purchasing Director Achieves Accreditation in Public Relations

Assistant Purchasing Director Diane Holley-Brown recently achieved her Accreditation in Public Relations (APR) by the Universal Accreditation Board (UAB).

The purpose of this accreditation is to unify and advance the public relations profession by identifying those individuals who have demonstrated broad knowledge, experience and professional judgment in the field. Established in 1964, the APR signified a high professional level of experience and competence. It was created as a way to recognize practitioners who had mastered the knowledge, skills and abilities needed to develop and deliver strategic communications.

The UAB currently oversees nine public relations organizations, including the Public Relations Society of America. Presently, there are approximately 4,300 active and accredited practitioners in the United States, with approximately 12 APRs in West Virginia. The accreditation process includes an application, a comprehensive questionnaire, an oral presentation with a review panel of APR-certified professionals and a computer-based examination. Congratulations to Diane on her great achievement!

Statewide Contract Makes Buying Office Supplies Simple

Office supplies are needed to complete every day work functions. From copy paper and pens to paper clips and staples, office supplies are purchased on a regular basis by most state agencies.

One statewide contract, OF-FICE15, may be utilized for such purchases. The vendor for OF-FICE15 is Office Depot.

Buyer Supervisor Tara Lyle noted that procurement officials who purchased through the previous OFFICE10 contract from Office Max, prior to the company's merger with Office Depot in 2013, should check the most recent catalog available on the Office Depot website at www.officedepot.com/catalog/AZ.do.

"Although some items that you purchased previously from Office Max may have been replaced, Office Depot likely offers a comparable product. It is important to check the catalog before placing an order," Lyle said.

To review OFFICE15, visit www. state.wv.us/admin/purchase/swc/ OFFICE.htm. To review all statewide contracts, visit www.state. wv.us/admin/purchase/swc.

To view the list of Purchasing Division buyers assigned to each statewide contract, visit www.state.wv.us/admin/purchase/byrassign.pdf.



Current Statewide Contract Update

(As of February 15, 2015)

This page includes a listing of current changes made to statewide contracts issued by the Purchasing Division. Information and dates listed in this **Current Statewide Contract Update** are subject to change. All statewide contracts are available online at **www.state.wv.us/admin/purchase/swc**. For more information, please contact the buyer assigned to the specific statewide contract.

New Contracts

Contract	<u>Vendor</u>	<u>Description</u>	<u>Dates</u>
CENTREX15	Frontier West Virginia Inc.	Centrex and related services	2/1/2015 -1/31/2016
ESRI15	Environmental Systems Research Inc.	Geographic information system software	2/2/2015 -2/2/2017
OFFICE15	Office Depot	Office supplies	1/8/2015 -1/7/2017
WVARF15	WV Assoc. of Rehab Facilities	Mandatory commodities offered by non-profit worksh	1/1/2015 -12/31/2015 ops

Contract Renewals

Contract	<u>Vendor</u>	<u>Description</u>	<u>Dates</u>
ABATMNT12A	Astar Abatement	Asbestos abatement	2/6/2013 -2/5/2016
F00D12B	U.S. Foods Inc.	Food, canned and staple groceries	1/12/2013 -1/11/2016

Contract Extensions

Contract	<u>Vendor</u>	<u>Description</u>	<u>Dates</u>
PC12	Stephens Auto Center	Police cruisers	1/14/2012 -1/14/2016
RTIRE11C	Kings Tire Service Inc.	Tire repair	9/6/2013 -9/5/2016

Miscellaneous Actions

Contract	<u>Vendor</u>	<u>Commodity</u>	<u>Description</u> of change
VOIP13	Verizon Business Services	Voice over Internet protocol	Rate reduction

SECTION 9

Continued from Page 2

designated procurement officers," Tincher said. "Their feedback helped us obtain current, thorough documentation to justify all commodities and services on the revised Exempt List, in accordance with our Legislative Rule."

The list may be directly accessed at www.state.wv.us/admin/purchase/HandbookSection9_2015-July-1.pdf.

FOR MORE INFORMATON

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

BUYER	EMAIL	PHONE
Guy Nisbet	Guy.L.Nisbet@wv.gov	558-2596
Bob Kilpatrick	Robert.P.Kilpatrick@wv.gov	558-0067
Frank Whittaker	Frank.M.Whittaker@wv.gov	558-2316
Tara Lyle	Tara.L.Lyle@wv.gov	558-2544
Crystal Rink	Crystal.G.Rink@wv.gov	558-2402
Evelyn Melton	Evelyn.P.Melton@wv.gov	558-7023
Beth Collins	Beth.A.Collins@wv.gov	558-2157
Greg Clay	Gregory.C.Clay@wv.gov	558-2566
Stephanie Gale	Stephanie.L.Gale@wv.gov	558-8801
Laura Hooper	Laura.E.Hooper@wv.gov	558-4212
Misty Delong	Misty.M.Delong@wv.gov	558-8802
Melissa Pettrey	Melissa.Pettrey@wv.gov	558-0094
April Battle	April.E.Battle@wv.gov	558-2306

Contracts Reviewed

Statewide contracts are reviewed approximately three months prior to the actual expiration date. During this month, the following statewide contracts for which their expiration dates are approaching will be examined.

FUELTT	Fuel truck transport
FUELTW	Fuel tank wagon
TCARD	Credit cards

QUESTION

Continued from Page 3

needed, the agency must then check availability through internal resources, including Sheltered Workshops and Correctional Industries, and mandatory contracts, including agency and statewide contracts. If not available through either of these means, the agency may then proceed with the requisition and solicitation phase of the procurement.

For more on writing specifications, visit Section 4.0, Acquisition Planning, of the Purchasing Division Procedures Handbook at *www.state.wv.us/admin/purchase/Handbook*. State agency procurement officials may also view the Writing Specifications online training module at *www.state.wv.us/*