

THE BUYERS NETWORK

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of Administration to Promote
Better Value in Public Purchasing

New Cacapon Dam Construction Provides Safety and Recreation

In Berkeley Springs, work is continuing at Cacapon State Park. The \$1.7 million dollar project currently underway began in September 2016 and will improve the earthen dams at the state park. The two dams at the park being updated include the upper reservoir dam and the lower recreation lake dam. The Purchasing Division worked closely with West Virginia State Park System, which is part of the Division of Natural Resources to solicit and award this contract.

These upgrades are in response to new structural criteria found in the Probable Maximum Participation Storm model, and although these dams have never failed, completing these updates will ensure that the dams can withstand stronger storms.

Construction is expected to be completed this spring. Modifications include constructing a new spillway reinforcement to the lower dam and installing drains around the larger reservoir dam. Several additional improvements will also occur at the larger dam.



The Purchasing Division often processes unique procurements through its central office, such as this construction project at Cacapon State Park. This contract includes important safety updates for two dams located at the park and offers new opportunities for recreational use.

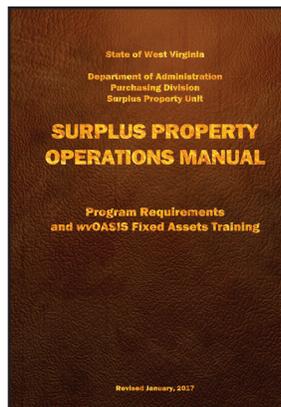
While the work at Cacapon State Park is primarily focused on the dams, this contract also includes several recreational benefits. A new hard surface trail will be added near the

Please see **CACAPON DAM**, page 2

INSIDE...

- **Director's Comments:**
State Central Procurement Officials Rank Priorities for 2017
- Purchasing Division Sets 10th Annual Open House for May 2, 2017
- Revised Change Orders and Addenda Module Published on Purchasing Website

Updated Surplus Operations Manual Now Available Online



The Purchasing Division recently posted on its website an updated version of the *Surplus Property Operations Manual*. This manual covers the program requirements of the West Virginia State Agency for Surplus Property (WVSASP) and its responsibility of overseeing the state's Assets Management Program, which involves managing and disposing of the state's assets.

The most significant update made to this manual is the addition of "Part II: wvOASIS Fixed Asset Training." This section had previously been removed following the

Please see **SURPLUS MANUAL**, page 3

2017 Agency Purchasing Conference Scheduled for August 22-25

State Central Procurement Officials Rank Priorities for 2017

By Purchasing Director Dave Tincher

This year is well under way and our state agency procurement officers are hard at work making sure solicitations are put together and advertised completely and accurately. In keeping with your New Year's resolutions, maybe you have signed up for a class or two to expand your procurement knowledge, or maybe you have signed up to participate in the state's procurement certification program to validate your understanding of the laws and rules governing the process. Like our peers in so many other states, we (as a whole and as individuals) must never stop striving to improve the efficiency and effectiveness of the public procurement process.

The National Association of State Procurement Officials (NASPO) recently shared its top ten priorities for state procurement in 2017, following a survey of state central procurement officials. While all of these priorities are important, I want to highlight some of those most pertinent to West Virginia public procurement, including the strategic role of central procurement, workforce professionalization, Enterprise Resource Planning solutions (i.e. *wvOASIS*), effective sourcing strate-

gies and cooperative purchasing.

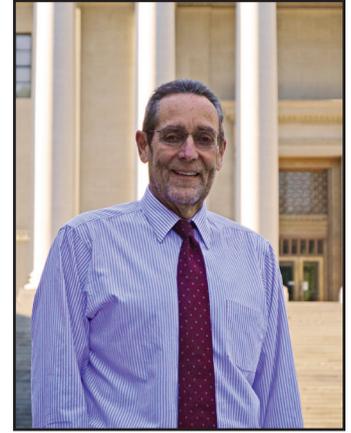
The first priority, the strategic role of central procurement, highlights the importance of having a centrally located office which streamlines and guides the state purchasing process. The Purchasing Division takes this role very seriously and is always open to feedback, solutions and ideas from our state agencies.

Workforce professionalization is an attribute we have encouraged throughout the years, with the implementation of our state certification program, involvement in national organizations and the networking and educational training event that is the Agency Purchasing Conference, which we have offered for decades. Offering and participating in training opportunities is of the utmost importance to ensuring our state agency partners, as well as our central procurement staff, keep apprised of best practices in the field.

Since the implementation of *wvOASIS* in June of 2014, the Purchasing Division and our agency partners have become acclimated to the new system and continue to work together to make advancements in the system that better serve the state as a whole.

And finally, strategic sourcing and cooperative purchasing are two areas that we have expanded over the past year and hope to continue to improve upon. The strategic sourcing meetings, which were introduced last fiscal year, have helped our partner agencies to better prepare for upcoming purchases and to look at areas in which cooperative purchasing might be an option, thus saving money for the state.

To view these five priorities and the others for 2017 in their entirety, visit the NASPO website at www.naspo.org/dnn/Publications/ArtMID/8806/ArticleID/3408. I would like to express my appreciation to each of our agency procurement officers for the efforts that you take to maintain the integrity of the public procurement process.



Purchasing Division Recognizes Linda Harper as our New Buyer Supervisor

The Purchasing Division would like to congratulate Linda Harper on her new role as a buyer supervisor within its Acquisition and Contract Administration section. Harper assumed her new position in February after working as a senior buyer with the Purchasing Division since November 2015.



Prior to joining the Purchasing Division, Harper worked in state government for 10 years as a procurement official with the Office of Technology and the Division of Natural Resources.

"I look forward to joining the supervisory staff here at Purchasing and the opportunity to continue working with a great group of my peers," shared Harper.

In her free time, Harper enjoys working on small projects around her home and gardening in the summertime.

Congratulations to Harper on her new position!

In February, Linda Harper assumed the role of buyer supervisor within the Acquisition and Contract Administration section of the Purchasing Division.

CACAPON DAM

Continued from Page 1

upper lake, which will appeal to fishermen and is also handicap accessible. The park is exploring recreational options for a gravel area that was created for worksite equipment. Once construction has been completed on both dams, the lakes will be restocked with fish.

The Purchasing Division is pleased to showcase these construction updates to Cacapon State Park as one of the many unique projects processed through its central office. Watch for more unique procurements featured in upcoming issues of *The Buyers Network*.

Purchasing Division Sets 10th Annual Open House for May 2

The Purchasing Division is pleased to announce that the 10th annual Open House has been set for Tuesday, May 2, 2017, from 10 a.m. to 2 p.m. This free event, which is open to all state agency purchasers who perform work under *West Virginia Code* §5A-3, will take place at the Purchasing Division office located at 2019 Washington Street, East, in Charleston.

The Open House provides agency purchasers with the opportunity to network with their peers, discuss ongoing solicitations with Purchasing Division personnel and learn more about the state purchasing process.

“We have many new faces in both the Purchasing Division and among our state agencies, so the annual Open House is a great opportunity for people to connect, get to know one another and talk about solutions for any issues their agencies might be facing,” said Purchasing Director Dave Tincher. “Having open lines of communication helps everyone do their jobs more efficiently and effectively.”

This year’s agenda includes an op-



Assistant Purchasing Director Frank Whittaker talks to an agency procurement officer at the 2016 Purchasing Division Open House.

portunity for attendees to test their procurement knowledge by answering questions on an electronic whiteboard. Refreshments will be available in the conference room, with additional seating located in the main hallway on the first floor. Attendees will also have the chance to win free registration to the 2017 Agency Purchasing Conference.

To RSVP, contact Public Information Specialist Courtney Sisk Johnson by close of business on April 26, 2017, at 304.558.4213 or Courtney.S.Johnson@wv.gov.

SURPLUS MANUAL

Continued from Page 1

transition from WVFIMS to the *wvOASIS* system. After significant research and testing, WVSASP was able to publish this new guide on how to properly use the Fixed Assets System within *wvOASIS*. This will be an important tool for those individuals in charge of retiring and documenting state property.

“The *Surplus Property Operations Manual* is a valuable resource to state agencies,” explained WVSASP Manager and Assistant Purchasing Director Elizabeth Perdue. “By publishing this new part to the Manual, we are ensuring that state employees have access to accurate information that will assist them in completing their daily tasks.”

Buyers Network

The Purchasing Division also recently began offering two updated fixed asset training opportunities. The first training is an online module available on demand on the Purchasing Division’s website. The second training is an in-person training conducted at WVSASP once a month. Registration for the face-to-face training is limited to only four individuals per session. To learn more about these training options, see the February issue of *The Buyer’s Network* or visit www.state.wv.us/admin/purchase/training.

To access the *Surplus Property Operations Manual*, visit www.state.wv.us/admin/purchase/surplus/surplus_operations_manual.pdf.

Change Orders vs. Addenda: What’s the Difference?

For those new to the procurement arena, there is often confusion about the difference between change orders and addenda. These transactions each play a different role when changes are necessary at specific times in the procurement process.

According to Purchasing Division Senior Buyer Mark Atkins, an addendum is a purchasing function for a change to a solicitation, such as a Request for Quotation, Request for Proposal or Expression of Interest, prior to the bid opening. An addendum is necessary when there is a need to add or delete information on a solicitation or make a change to the specifications. Atkins explained that another reason to issue an addendum is to answer questions posed by potential bidders for clarification relating to the purchase. “Issuing an addendum to answer vendors’ questions before they submit their bid ensures the agency receives the best product to meet its needs,” he said.

Atkins said that it is important for the Purchasing Division to provide a detailed description of the change so that bidders know what was modified. He also suggested that the agency procurement officer add himself or herself to the suggested vendor list as a free form vendor when submitting the Centralized Purchase Requisition (CRQS/CRQM) to the Purchasing Division so they may receive all notifications of the changes through *wvOASIS*.

When an agency needs to make a change to a solicitation, a written request must first be submitted to the Purchasing Division’s assigned buyer. This documentation serves as authorization for the Purchasing Division to act upon the agency’s behalf. The request may include new documents; changes or noted deletions to existing documents; a pre-bid conference attendee list, if applicable; an attachment with technical questions and answers; and any revised or additional drawings, charts, etc.

Once the request is received by the Purchasing Division, it is reviewed by the assigned buyer and, if everything is in order, the addendum is prepared and distributed to vendors via fax, mail and through the *West Virginia Purchasing Bulletin* on the Vendor Self-Service.

The Addendum Acknowledgement Form is

Please see CHANGES, page 4

Time to Celebrate Purchasing Month



Gov. Jim Justice has proclaimed that March 2017 be recognized as “Purchasing Month” throughout the state of West Virginia.

This annual proclamation began in March 2011 and is part of an annual nationwide recognition program initiated by the National Institute of Governmental Purchasing. The Purchasing Month proclamation highlights the initiatives which develop, support and promote public procurement practitioners through educational and research programs.

The Purchasing Division is pleased that its vital function of state government has been recognized by Governor Justice. The integrity and professionalism of state purchasers are valued by the public, who entrusts the spending of its tax dollars. The official proclamation is on display at the Purchasing Division office in Building 15.

Ethics Prohibits Private Gain for Public Officials

All public employees, especially those working in the procurement field, are encouraged to remember the provisions of the Ethics Act and review it periodically. The most pertinent provisions can be found in **West Virginia Code §6B-2-5**.

The code of conduct, established by the Ethics Act, applies to all public servants, including public employees, elected public officials and appointed public officials, whether full-time or part-time, in the legislative, judicial and executive branches of state, county and municipal government, including all boards, commissions and agencies.

One provision that is critically important to remember is that public officials and public employees are prohibited from using their positions for their own private gain or the private gain of another. Similarly, public officials and public employees and their families are prohibited from having an interest in a public contract over which they have control.

“The Ethics Act really seeks to ensure fairness and integrity in government. Public officials should be looking out for the state and the taxpayers, not their own personal interests,” said Purchasing Division General Counsel Jimmy Meadows. “If they or someone they know personally stands to gain from a certain transaction, there is always a question of whether that transaction was in the best interest of the taxpayers or the best interest of the individual government employee. If they have no personal stake in the transaction, the appropriateness of the transaction can be questioned, but the self-dealing aspect is gone.”

There are exceptions to the private gain restrictions in the Ethics Act, such as gifts under \$25 and

CHANGES

Continued from Page 3

included in the solicitation packet to ensure that the vendor has confirmed receipt of the addenda. This form should be included by the vendor with its bid; however, the Purchasing Division may request it for the file prior to award.

Sometimes changes occur after the award of a contract or purchase order has been made. These changes are documented via the change order process. A change order is a purchasing function to alter a contract or purchase order after the award of a contract has been made. This change may be anticipated, such as a renewal, or an unexpected or unforeseen variable. In short, the change order process reflects a change to a contract, whereas an addendum denotes a change to a solicitation.

Change orders are necessary to add, delete or change information in the contract; increase or decrease the contract amount; renew the original contract; extend the life of the contract; cancel the contract or reinstate the contract. “Justification is required for all contract increases. If the change order increases the total cost of the original contract by more than 10 percent, additional justification addressing the need for the substantial increase must be included in the documentation,” Atkins noted.

He also noted that if the original contract required bonds, the executed change order needs a bond rider to cover the additional increase in costs. Atkins explained there is an established signature authority for fixed-

price change orders within the Purchasing Division, which includes the senior buyer, buyer supervisor, Communication and Technical Services (CTS) review, Attorney General’s Office for approval as to form and CTS encumbrance to execute the change order.

As a helpful tip, Atkins reminds agency procurement officers that there is suggested change order language in Appendix K of the **Purchasing Division Procedures Handbook** which may be found at www.state.wv.us/admin/purchase/Handbook. When entering information into *wvOASIS* to explain the modification, the agency should end the explanation with the words, “NO OTHER CHANGES.” This will indicate to the Purchasing Division buyer that there is no further information to be included.

When submitting a change order to the Purchasing Division, only the documents that the vendor needs for the change should be put into the header with proper identification. “We cannot make any changes to the header attachments without rejecting it back to draft,” said Atkins. “That causes the entire document to go back through the agency approval process. Therefore, proper document identification and uploading is needed for the expedient processing of change orders.”

To learn more about the change order process, please visit Section 6.7 in the **Purchasing Division Procedures Handbook** at the link noted above.

Please see **ETHICS**, page 6

Revised Change Orders and Addenda Module Published on Purchasing Site

The Purchasing Division recently published a revised Change Orders and Addenda agency resource module on its website. This module defines change orders and addenda and outlines the documentation needed for both types of transactions.

The module, which formerly consisted of a PowerPoint and audio overlay, has been made more interactive using Articulate Storyline software. This new format allows the viewer to remain engaged throughout the presentation by including a combination of audio, animation and interactions from beginning to end.

“Currently, the Purchasing Division is focused on improving and expanding its online training program,” said Communication and Professional Development Manager Samantha Knapp. “The Change Orders and Addenda module is just one of several that we are revising.

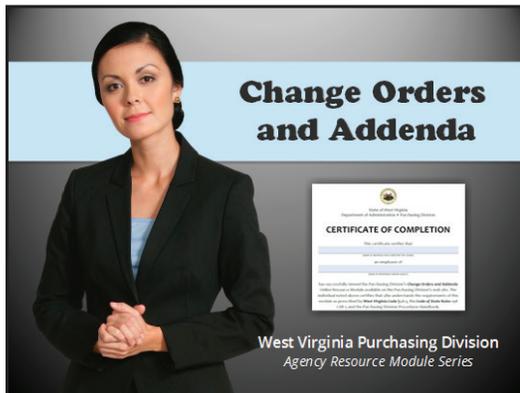
These updates not only allow us to make these self-paced modules more interactive, but they allow us to provide the most up-to-date and accurate information to our agency partners.”

This module is one of eleven posted on the Purchasing Division’s website. These self-paced modules allow agency procurement officials to review purchasing-related information from the convenience of their offices.

This resource module counts as .5 credits toward the procurement certification program’s training requirement. Upon completion of each module, the viewer should print the *Certificate of Completion* for the specific module and have it signed by his or her supervisor. A copy should then be submitted to the Communication and Professional Development Unit of the Purchasing Division by emailing it to Stephanie.M.Mosley@wv.gov or faxing it to 304.558.6026.

All agency resource modules can be found online at www.state.wv.us/admin/purchase/training/modules.html.

The Purchasing Division recently published a revised Change Orders and Addenda agency resource module on its website. This free module is available to agency procurement officers on demand.



Purchasing Division Recognizes Its Latest Basic Certification Recipient

The Purchasing Division is pleased to announce John Caldwell as the latest recipient in its West Virginia Procurement: Basic Certification program.

Caldwell, a Transportation Systems Analyst for the Division of Public Transit, has worked for the state for 24 years.

“I was pretty excited to find out I received the certification,” said Caldwell. “It has been a long time since I have had to study and take a test, so it was kind of nerve-wracking! The program is a great way to learn all aspects of the purchasing process and I’m glad I was able to partici-

pate.”

State agency procurement officers interested in participating in the basic and/or advanced certification program may review the requirements at www.state.wv.us/admin/purchase/training/Certification. Questions regarding the certification program may be directed to Communication and Professional Development Manager Samantha Knapp at Samantha.S.Knapp@wv.gov.

The Purchasing Division would like to congratulate Caldwell on this noteworthy accomplishment!

FedEx Awarded Contract for Small Package Services

The Purchasing Division recently awarded a new statewide contract for small package services (PKGSVS17). FedEx is the successful vendor. The new contract is available on the Purchasing Division’s website at www.state.wv.us/admin/purchase/swc/PKGSVS.html.

Please note that FedEx does not deliver to post office boxes. Anyone who has questions regarding this service can contact the company’s customer service support at:

FedEx Government Account Services

For billing, call 800.645.9424 or email govt@fedex.com

US Customer Service

880-GOFEDEX

US Technical Support

877.339.2774

US International Customer Service

800.247.4747

For more details on all statewide contracts, please visit www.state.wv.us/admin/purchase/swc.

THE BUYERS NETWORK

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Current Statewide Contract Update

(As of February 13, 2017)

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

Contract Extensions

Contract	Vendor	Commodity	Effective Date
ELECMON14	3M Electronic Monitoring Inc	Electronic Monitoring	01/25/17 -12/31/19

Contract Renewals

Contract	Vendor	Commodity	Effective Date
ESRI15	Environmental Systems Research	Geo. Information Systems	02/03/15 -02/02/18
SWC*21 - Oil15	Apollo Oil LLC	Oils, Lubricants & Grease	01/24/17 -03/24/18

Miscellaneous Actions

Contract	Vendor	Commodity	Description of Change
WWARF15	WV Assoc. of Rehab Facilities	Commodities and Services	To provide new commodities and pricing, update pricing for current commodities, and change contact information

FUELW14AA	Harris Oil Co Inc	Misc. Fuel	To change the variable tax rate component of the motor fuel excise tax
FUELW14B	R T Rogers Oil Company Inc	Misc. Fuel	See FUELW14AA
FUELW14C	Bruceston Petroleum Co. Inc.	Misc. Fuel	See FUELW14AA
FUELW14D	Bruceston Petroleum Co.	Misc. Fuel	See FUELW14AA
SWC*23 -IP16	HP Inc	Computer Equipment	To correct two part numbers, and provide substitutions for discontinued items.
SWC*25	Verizon Business	Telecommunication Services	To attach correct pricing

FOR MORE INFORMATION

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

ETHICS

Continued from Page 4

meals, but Meadows recommends that all procurement officials stay clear of even the exceptions. "In the procurement world, the last thing we want is the appearance of impropriety," Meadows stated. "How would it look if a vendor that buys lunch for the agency evaluating bids keeps winning contracts? Even if the whole process is truly treated fairly, the introduction of free lunch will inevitably create an appearance of wrongdoing and cause concern for all of the other bidders."

That perception problem is so strong that the Legislature saw fit to make the exemptions from the Ethics Act's private gain provision unavailable to Purchasing Division employees. All Purchasing Division employees are expressly prohibited from receiving "any money or other things of value" from any entity interested in bidding on public contracts; that provision can be found in *West Virginia Code* §5A-3-28.

Should you have a question about an ethical issue related to your work, the Ethics Commission will provide verbal or written opinions. For additional information, visit the Ethics Commission website at www.ethics.wv.gov.

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