

2008 AGENCY PURCHASING CONFERENCE

October 14 - 17 @ Canaan Valley Resort

THE BUYERS NETWORK

OCTOBER 2008 - VOL. 18, ISSUE 10

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

Taking a Closer Look at the Purchasing Division's Procedures Handbook

Quality Assurance ... Purchasing Division, Agency, and Vendor Each Play Role in Process

The primary object of efficient purchasing practices is acquiring quality goods and services at quality prices. To ensure this occurs, the Purchasing Division, the agency and the vendor must all work together for a common goal. The Purchasing Division Procedures Handbook addresses this collaboration in Section 10, entitled "Quality Assurance," detailing the roles of the Purchasing Division, the agency and the vendor.

Each party has its own responsibilities throughout the competitive bid process. **For state agencies, this requires proper acquisition planning, verifying the received goods meet the required specifications, closing encumbered purchase orders, and adding items to the Fixed Assets System.**

When vendor performance and product quality do not meet expectations, agencies are encouraged to contact the vendor and voice their



concerns. Complaints should be resolved expeditiously and courteously, preferably by the state agency. After all attempts have failed by the agency to resolve the issues, the complaint should immediately be referred to the Purchasing Division on the *Vendor Performance Form* (WV-82) documenting all steps taken to try to resolve the problem, and all written vendor responses.

The Purchasing Division's responsibilities include reviewing all specifications submitted by an agency to ensure that the specifications are complete and open to competition; review evaluations and recommendations for award for validity and consistency, assisting with dispute resolutions when needed and provide training to increase the level of proficiency among state procurement officers.

Finally, the vendor has responsibilities in that each vendor is solely responsible for delivering a bid to the

Purchasing Division prior to the specified date and time of the bid opening. Vendors are responsible for the accuracy of the information on and in the bid envelopes which include compli-

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THE DIRECTOR'S COMMENTS

Annual Conference Benefits Agency Buyers

By Dave Tincher, State Purchasing Director

As the 2008 Agency Purchasing Conference quickly approaches, our staff is gearing up for another successful conference full of valuable information for our agency participants.

Recently, I distributed an e-mail to all of our agency designated purchasing liaisons reminding them that, in accordance with the *Code of State Rules* 148CSR1 3.2, "All purchases must be approved by the secretary or head of the spending unit, or a designee, whose name shall be filed with the Director. The person(s) named should take available purchasing training and have responsibility for the function of purchasing. Each spending unit shall process all purchases through this person(s), who shall be responsible for correspondence and communication with the Purchasing Division."

It is important not only for the agency designated contacts and other appropriate agency purchasers to attend but, even more importantly, to share the information gained during the workshop sessions with others in your agency. With 13 concurrent workshop sessions available at

our conference, and 27 different classes from which to choose, there will be a great amount of information to be shared upon the agency purchasers' return. I stress to all participants that it is extremely important to attend classes during all available sessions.

In addition to our general workshop topics, this year we are also incorporating a "Beginner's Track," a series of workshops aimed at employees new to the state purchasing process.

For more details on the 2008 Agency Purchasing Conference, visit www.state.wv.us/admin/purchase/conference/agency.2008. Questions may be directed to our Training Coordinator Brian Holmes at (304) 558-7022 or via e-mail at Brian.J.Holmes@wv.gov.

The Purchasing Division staff looks forward to seeing you at this year's purchasing conference later this month!



Gas Prices Drive Home Need to Drive Efficiently

With gas prices staying around \$4 a gallon, and unlikely to drop anytime in the near future, making the most out of every penny is important, especially in concern to taxpayers' pennies. The U.S. Department of Energy has issued the following tips to stretch your driving dollar:

Drive Sensibly

Aggressive driving (speeding, rapid acceleration and braking) wastes gas. It can lower your gas mileage by 33 percent at highway speeds and by 5 percent around town. Sensible driving is safer for you and others, so you may save more than gas.

Observe the Speed Limit

While each vehicle reaches its optimal fuel economy at a different speed (or range of speeds), gas mileage usually decreases rapidly at speeds above 60 mph. You can assume that each 5 mph you drive over 60 mph is like paying an additional \$0.30 per gallon for gas.

Remove Excess Weight

Avoid keeping unnecessary items in your vehicle, especially heavy ones.

An extra 100 pounds in your vehicle could reduce your MPG by up to 2%. The reduction is based on the percentage of extra weight relative to the vehicle's weight and affects smaller vehicles more than larger ones.

Avoid Excessive Idling

Idling gets 0 miles per gallon. Cars with larger engines typically waste more gas at idle than do cars with smaller engines.

Use Cruise Control

Using cruise control on the highway helps you maintain a constant speed and, in most cases, will save gas.

Use Overdrive Gears

When you use overdrive gearing, your car's engine speed goes down. This saves gas and reduces engine wear.

For more information on energy efficiency, visit the U.S. Department of Energy's Web site at www.energy.gov or visit the West Virginia Division of Energy at www.energywv.org/community/eep.html.

Certificate of Non-Conflict Now Applies to Agency Delegated Purchases

The instructions for the Certificate of Non-Conflict of Interest has been updated online to provide clarification to state agencies regarding its usage.

The instructions and Certificate may be found at: <http://intranet.state.wv.us/form/default.htm>

A change in the Certificate's instruction clarifies that state agencies are required to use this form for any purchases exceeding \$5,000.

Questions regarding this change may be directed to your agency procurement officer or to your agency assigned buyer within the Purchasing Division.

For a list of agency assigned buyers, visit www.state.wv.us/admin/purchase/byassign.pdf.

2008 Agency Purchasing Conference Schedule

Revised 9/29/08

Conference Itinerary	Birch-Hawthorne	Elm-Willow	Hemlock	Pine
Tuesday, October 14th				
Conference Registration 10:00am - 1:00pm	<i>Registration will be held in the main lobby on the 2nd Floor</i>			
Commencement 1:30pm - 2:00pm	<i>This event will be held in the Spruce/Balsam/Maple Room</i> <i>Beginner's Track</i>			
Concurrent Workshops 2:15pm - 3:15pm	<i>Agency Delegated Purchasing</i> Frank Whittaker	<i>Statewide Contracts</i> Jo Ann Adkins	<i>Vendor Registration</i> Dan Miller	<i>Surplus Property</i> Ken Frye
Concurrent Workshops 3:30pm - 4:30pm	<i>Purchasing Website</i> Dan Miller	<i>Change Order Process</i> Shelly Murray	<i>Basic Purchasing</i> John Abbott	<i>Fleet Management</i> Janice Hartman
Evening Social 6:00pm - 8:00pm	<i>This event will be held in the Spruce/Balsam/Maple Room</i>			
Wednesday, October 15th				
Conference Registration 7:30am - 9:00am	<i>Registration will be held in the main lobby on the 2nd Floor</i>			
Group Breakfast 7:30am - 9:30am	<i>This event will be held in the Spruce/Balsam/Maple Room</i>			
Concurrent Workshops 9:45am - 10:45am	<i>Legal Issues</i> Dawn Warfield	<i>Preventing Protests</i> Krista Ferrell	<i>Statewide Contracts</i> Jo Ann Adkins	<i>Inspection Services</i> Mike Sheets
Concurrent Workshops 11:00am - 12:00pm	<i>PO Encumbrance</i> Dan Miller	<i>Payment Process</i> Lisa Comer	<i>Request for Quotations</i> Roberta Wagner	<i>Acquisition Planning</i> Shelly M & Frank W
Lunch 12:00pm - 1:30pm	<i>On your own for lunch</i>			
Concurrent Workshops 1:45pm - 2:45pm	<i>Inspection Services</i> Mike Sheets	<i>Piggybacking Contracts</i> Jo Ann Adkins	<i>Evaluation & Award Process</i> Chuck Bowman	<i>Request for Proposals</i> Roberta Wagner
Concurrent Workshops 3:00pm - 4:00pm	<i>Sole Source Process</i> Krista Ferrell	<i>Evaluation & Award Process</i> Chuck Bowman	<i>Process Checklists</i> Michael Austin	<i>Mock Evaluation</i> Roberta Wagner
Banquet 6:00pm - 8:00pm	<i>This event will be held in the Spruce/Balsam/Maple Room</i>			
Thursday, October 16th				
Concurrent Workshops 8:45am - 9:45am	<i>Evaluation & Award Process</i> Chuck Bowman	<i>Change Order Process</i> Shelly Murray	<i>Correctional Industries</i> Guy Perry	<i>Request for Quotations</i> Roberta Wagner
Concurrent Workshops 10:00am - 11:00am	<i>Agency Delegated Purchasing</i> Frank Whittaker	<i>Process Checklists</i> John Abbott	<i>Construction Purchases</i> Chuck Bowman	<i>Technical Contracts</i> Helen Wilson
Group Lunch & Game Show 11:15pm - 1:15pm	<i>This event will be held in the Spruce/Balsam/Maple Room</i>			
Concurrent Workshops 1:30pm - 2:30pm	<i>Legal Issues</i> Dawn Warfield	<i>Payment Process</i> Lisa Comer	<i>Statewide Contracts</i> Jo Ann Adkins	<i>Request for Quotations</i> Roberta Wagner
Concurrent Workshops 2:45pm - 3:45pm	<i>PO Encumbrance</i> Dan Miller	<i>Fixed Assets</i> Ken Frye	<i>Expressions of Interest</i> Chuck Bowman	<i>Acquisition Planning</i> Shelly M & Frank W
Friday, October 17th				
Group Breakfast 7:00am - 8:45am	<i>This event will be held in the Spruce/Balsam/Maple Room</i>			
Concurrent Workshops 9:00am - 10:00am	<i>Sole Source Process</i> Krista Ferrell	<i>Piggybacking Contracts</i> Jo Ann Adkins	<i>Travel Management</i> Catherine DeMarco	<i>Inspection Services</i> Mike Sheets
Concurrent Workshops 10:15am - 11:15am	<i>Process Checklists</i> John Abbott	<i>Preventing Protests</i> Krista Ferrell	<i>State Use Program</i> Penney Hall	<i>Technical Contracts</i> Helen Wilson
Special Group Workshop 11:30am - 12:00pm	<i>Process Improvement</i> <i>This event will be held in the Spruce/Balsam/Maple Room</i>			
Closing 12:00pm - 12:30pm	<i>Closing will be held in the Spruce/Balsam/Maple Room immediately after the Special Group Session</i>			

Procurement Officer Profile...

Vicki Marcum Focuses on Buying Services at Insurance Commission

Purchasing was a learning process for Vickie Marcum, procurement officer for the West Virginia Insurance Commission, though she said she did not exactly walk through the front door into the process.

Beginning her state government career in 1987 with the state Department of Tax and Revenue, Marcum eventually moved to the Purchasing Division, performing various office duties including scanning documents and filing. She transitioned to the Department of Health and Human Services and later the Bureau of Employment Programs (now Workforce WV). She said the seeds of interest in procurement had already been laid during her time at DHHR, where she had been an office assistant, performing more procurement-related duties.

As she studied the paperwork and process, Marcum said she found herself growing increasingly fascinated with public procurement. "When I started learning about it, it was really interesting to me," she said.

She also found herself taking great joy in the job. "I used to joke that procurement was therapeutic because all women like to shop," she said. She found herself working with the contracts for copiers and fax machines, a long way from the emphasis on purchasing services which she predominantly handles at the Insurance Commission, she said. With the Insurance Commission since 2006, Marcum said she finds that the primary purchases she handles are for services, such as hearing examiners for Workers' Compensation cases dating before the 2005 privatization, court reporters, and third-party administrators. "We buy a normal amount of products for the agency to function," she said. "But by and large, our largest expenditures are services."

Dealing with services, which typically operate on shorter timeframes than contracts for products, can be frustrating, Marcum said. It takes a



Vickie Marcum, procurement officer for the West Virginia Insurance Commission, began her purchasing career as an office assistant at DHHR.

great deal of time and energy to keep service contracts maintained. Contracts for products are often renewed; whereas, service contracts issued by the Insurance Commission are typically rebid every 12 months.

"We tend to have more time invested in getting service contracts up and running," she said. "You constantly have

to keep up with it."

Marcum said the Purchasing Division often acts as a "go-between" between the agency and the vendor. "This way we do not have to deal with a large number of vendors," she said. She added that she is grateful for the work of the Purchasing Division staff in the procurement process.

QUALITY

Continued from Page 1

ance with specifications; communication and coordination with its suppliers to fulfill delivery obligations, and negotiating good faith with agency personnel should a dispute arise.

In the event that a vendor fails to honor any contractual term or condition, the Purchasing Director may cancel the contract and re-award the purchase order to the next lowest bidder; declare a vendor non-responsible or non-responsive and refuse to award a purchase order; or suspend, for a pe-

riod not to exceed one year, the right of a vendor to bid on state purchases when there is reason to believe the vendor has violated any of the provisions, terms, or conditions of a contract, rule or state law.

For more detailed explanation of the responsibilities of the Purchasing Division, state agencies and vendors in the procurement process, refer to the Purchasing Division Procedures Handbook at www.state.wv.us/admin/purchase/Handbook/default.htm.

Canaan Valley Offers Many Activities for Purchasing Conference Participants

The 2008 Agency Purchasing Conference is right around the corner at Canaan Valley Resort with more than 250 people registered to attend (see Director's Comments on page 2 for more details about the conference).

Though the Agency Purchasing Conference has a full schedule of training workshops and events throughout the week at Canaan Valley Resort, there will be some time for attendees to take in the local surroundings.

The Canaan Valley area is known for its scenic beauty and local charm as the surrounding towns of Davis and Thomas offer a little bit of everything for visitors. In downtown Davis, approximately 10 miles from Canaan Valley Resort, plenty of locally-owned restaurants and niche shops dot the area, providing a variety of places to shop and eat.

For those staying at Blackwater Falls State Park, the nearby small town of Thomas also offers some unique shopping and dining locals as well. If staying onsite is your preference, Canaan Valley Resort has a multitude of activities available during post-conference hours. Both state parks offer great hiking trails and scenic points.

Representatives from the Tucker County Convention and Visitors Bu-



Blackwater Falls represents the best of the abundant scenic outdoor beauty of the Canaan Valley area. Canaan Valley Resort and the towns of Davis and Thomas offer visitors lots of great places to visit and dine.

reau will be present during conference registration on Tuesday and Wednesday, answering questions about local sites and distributing brochures about the area. Local information can be found at:

Canaan Valley area: www.canaanvalley.org

Blackwater Falls State Park: www.blackwaterfalls.com

Canaan Valley Resort: www.canaanresort.com

For any last-minute questions or concerns about the conference, contact Brian Holmes at Brian.J.Holmes@wv.gov or 558-7022.

Legislators Study Resident Vendor Preference Laws

The West Virginia Legislature continues to gather information on the state's Resident Vendor Preference laws. During the 2008 Regular Session, a bill was introduced which addressed the existing Resident Vendor Preference laws. Although the portion of the bill affecting the preference was not included in the passed legislation, the State Legislature opted to continue to study during an interim legislative committee the current preference laws to gain more information.

Most recently, lawmakers learned more about the state's Resident Vendor Preference laws during the September's Legislative Interim meetings in Bridgeport. Karen Byrd, Assistant Purchasing Director for the Acquisitions

and Contract Administration Section, gave a presentation on the state's current preference laws and answered questions from the committee members.

"This was a fact-finding presentation that detailed our current Resident Vendor Preferences laws and when and where those laws are applied during the purchasing process," Byrd said. "The presentation also showed the legislators what resident preference laws are established in other states for comparison."

Byrd said the Purchasing Division does not anticipate changing current RVP laws, but added the division is continuing to gather information as requested by the interim legislative committee for its perusal.

Online Travel Calculator Compares Travel Costs

The Travel Management Office, under the Purchasing Division, now has an online tool for state employees to use to help compare the costs between using one's own vehicle and renting a vehicle.

The Vehicle Rental versus Reimbursement Calculator site, located at <http://www.state.wv.us/admin/purchase/Travel/tmmilecalc.htm>, allows users to input several variables on the online program and the calculator displays its results. The purpose of the Vehicle Rental versus Reimbursement Calculator is to facilitate comparison and discussion. It is not a verified decision-support system and may not always yield accurate results.

Avoid 'Stringing' by Closely Monitoring Your Agency Purchasing Transactions

The March 2008 issue of *The Buyer's Network* featured an article about what agency procurement officers should expect when visited by Purchasing Division inspectors.

One of the many items Purchasing Division inspectors examine is indication of purchase orders.

"Stringing" is defined in the Purchasing Division Procedures Handbook as "issuing a series of requisitions or purchase orders to circumvent competitive bidding or to defeat the State Purchasing Card transaction or delegated purchasing limit."

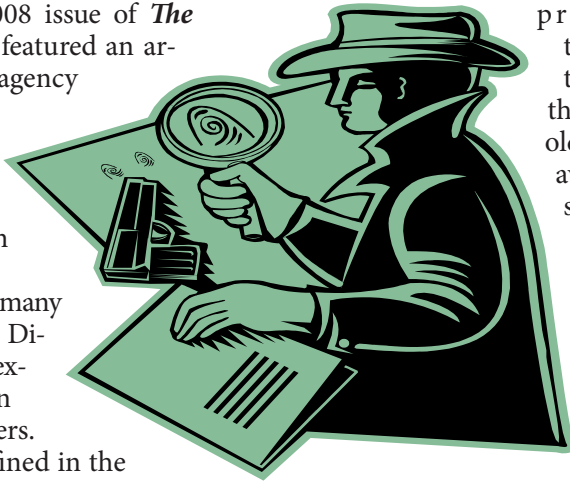
Inspectors look at state agency spending patterns with all purchasing limit levels and not just the \$25,000 threshold, which is specifically addressed in *West Virginia Code §5A-3-10*.

Agency procurement officers are advised to observe its agency transactions with vendors over a period of time, especially those which are frequent customers.

To avoid the appearance of stringing, procurement officers should monitor its ongoing purchases to avoid crossing delegated purchasing limits without using the applicable bid process. (For greater detail about agency delegated spending levels, see accompanying story). If multiple purchases are made with a particular vendor and the accumulative amounts exceed any spending level limit, agency procurement officers need to determine if there is a need to bid out a contract for that commodity or service.

Agency purchasers are reminded stringing as addressed by *West Virginia Code §5A-3-10(b)*, which deals with the prohibition of stringing commodities and services to circumvent spending limits.

According to this section of the Code, "No spending unit shall issue a series of requisitions or divide or plan



procurements to circumvent this twenty-five thousand threshold or otherwise avoid the use of sealed bids.

"Any spending unit which awards multiple contracts for the same or similar commodity or service to an

individual vendor over any twelve month period, the total value of which exceeds twenty-five thousand dollars, shall file copies of all contracts awarded to the vendor within the twelve preceding months with the director immediately upon exceeding

the twenty-five thousand dollar limit, along with a statement explaining how the multiple contract awards do not circumvent the twenty-five thousand dollar threshold. If the spending unit does not immediately report to the director, the director may suspend the purchasing authority of the spending unit until the spending unit complies with the reporting requirement of this subsection."

Please note the Purchasing Division is required to report to the State Legislature twice each year a list of agencies which our purchasing inspectors have reported indication of stringing.

Questions relating to these requirements should be directed to your agency procurement officer or the assigned buyer within the Purchasing Division.

For a list of our agency assigned buying staff, please visit : <http://www.state.wv.us/admin/purchase/byrassign.htm>

Agency Delegated Purchases Require Documentation

The Purchasing Division becomes an interactive partner with state agencies when purchases more than \$25,000 are involved.

When agencies make purchases under the \$25,000 formal acquisition threshold, they do so through their agency delegated authority; however, purchasing guidelines must still be followed accordingly.

There are three bidding levels under the \$25,000 amount:

- \$2,500 or less;
- \$2,500.01 - \$5,000; and
- \$5,000 - \$25,000

Each level has its own requirements.

For purchases \$2,500 or less, bidding is not required by the agency, but it is encouraged.

Before making purchases, agencies must check internal sources such as Surplus Property Program, Correctional Industries, State Use Program and mandatory statewide contracts

before proceeding. The use of a P-Card for payment is acceptable and a purchase order is not required.

For purchases \$2,500.01 - \$5,000, three verbal bids are required, when possible. Agencies must check internal sources

Agencies must also document three verbal bids on a Verbal Bid Quotation Summary (WV 49).

Agencies must also issue an Agency Purchase Order (WV 88) or Team-generated P.O. form.

As for purchases from \$5,000.01 - \$25,000, the same guidelines apply as those for the \$2,500.01 - \$5,000 except that three written bids are required and documented on the WV-43 form instead of securing three verbal bids.

Agency buyers need to remember that all agency procurement files are public record and documentation is necessary, particularly if requested by the public and/or Purchasing Division inspectors.

Current Statewide Contract Update

(As of September 15, 2008)

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 <http://www.state.wv.us/admin/purchase/swc>. For more information, please contact Senior Buyer **Jo Ann Adkins** at (304) 558-8802 or via e-mail at Jo.A.Adkins@wv.gov.

Contracts Out for bid:

Contract	Description	Pre-Bid Meeting	Bid Opening
BEDDING09	Mattresses and pillows	N/A	09/25/2008
X-RAY09	X-ray film, chemicals and dry media	N/A	09/04/2008
MV09	Motor vehicles	08/26/2008	09/16/2008
PC09	Police pursuit vehicles	N/A	10/07/2008
DIGCOP09	Digital copiers	09/15/2008	10/01/2008
FUEL09	Gasoline fuel	09/09/2008	09/23/2008
FUELHD09	Diesel and heating fuel	09/09/2008	09/23/2008
SBUS09	School buses	10/09/2008	10/22/2008

Contracts Awarded:

Contract	Description	Vendor	Dates
HRDEV09	Human resource internet assessment tools	Epiphany Consulting LLC.	02/01/2008-01/31/2009

Under Evaluation:

Contract	Description	Bid Opening	Under Eval
FASTEN08	Fasteners and fastening devices	07/22/2008	Yes
LAWN09	Lawn equipment	07/23/2008	Yes
IPO8	Computers	06/19/2008	Yes
LAUNDRY09	Laundry materials, dispensing equipment and technical services	N/A	Yes
OIL09	Grease, lubricants and oil	N/A	Yes

Contract Renewals:

Contract	Vendor	Description	Date
ITECH06P	Maximation LLC	Temp staffing w/computer tech Expertise & technical services	09/01/2008 to 08/31/2009
FLRCOV07	Family Carpets Inc.	Carpet & rugs	09/01/2008 to 08/31/2009
LABSUP08	Thomas Scientific	Laboratory supplies	08/15/2008 to 08/14/2009
ITECH06H	Dell Marketing LP	Technology services	09/01/2008 to 08/31/2009
ITECH06N	Hourly Computer Services Inc.	Technology services	09/01/2008 to 08/31/2009

Contract	Vendor	Description	Date
ITECH06A	Access Systems	Technology services	09/01/2008 to 08/31/2009
TEMP07A	WV Assoc. of Rehab Facilities	Temporary services	05/01/2008 to 04/30/2009

Contracts Extended:

Contract	Vendor	Description	Date
DIGCOP04I	OCE Imagistics	Digital copiers	08/15/2008-10/31/08

Miscellaneous Actions:

Contract	Vendor	Commodity	Description of change
LGLOVES07	Glove USA Inc.	Latex gloves	To provide revised pricing
OIL05	Harris Oil Company Inc.	Motor, hydraulic oils	To revise prices

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.

OCTOBER

AUD052942	Single Audit Services
FOOD08	Food Services
JITLECT06	Multimedia Courseware Development
MA05SW08	Oracle - Master Agreement
PC08	Police Cruisers
SBUS08	School Buses
WATER07	Water Treatment Chemicals

NOVEMBER

ABATMENT08	Asbestos Abatement
INKCRT	Ribbons and Laser Toner
IPT07	Internet Protocol Voice Communications
LAN07	Local Area Network Software, Hardware and Service
LEXNEX06	Online Subscription/Research Service
LITTER07	Litter Grabbers
PAINT07	Paint and Paint Supplies
PAPER06	Various Papers
PPHONE05	Pay Telephones
TCARD06	Travel Credit Card Services
TOOLS	Entire Hagemeyer Catalog (Except Restricted Items)
UNIFCOM08	Wide Area Telecommunications Services

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: Diane.M.Holley@wv.gov

Name _____
Organization _____
Address _____
Telephone Number _____
E-Mail Address _____
Need Information about _____

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