

# THE BUYERS NETWORK

NOVEMBER 2009 - VOL. 19, ISSUE 11

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

## New Topics and More Interactive Workshops Make for a Successful Agency Purchasing Conference

Two new purchasing topics and more interactive presentations were among the highlights of the 2009 Agency Purchasing Conference held at Canaan Valley Resort and Conference Center in Davis last month. Nearly 230 agency purchasing agents attended the three-day conference, along with 30 staff members and guest speakers.

The two new subjects, which were well received, were Pre-Bid Conferences and Documents and Approvals. The Pre-Bid Conference presentation briefed attendees on the requirements

relating to this part of the purchasing process. Senior Buyers Michael Austin and Shelly Murray, who presented this workshop, conducted a mock pre-bid conference to illustrate varying scenarios that frequently arise.

The Documents and Approvals presentation was an expanded version of the Process Checklists topic from years' past. Austin was also the presenter for this class which provided more detail on the approval process and its associated documentation.

In response to past evaluations,

speakers added purchasing related scenarios into their presentations to better illustrate their instructional material and to promote more discussion among audience members.

Introduced last year, the "Beginners Track" was offered again this year. This series of six classes was specifically designed for individuals with two years or less of procurement experience, with classes focusing on the bare-bone basic levels of purchasing.

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Technical Services Manager Dan Miller presents a session on the rules and requirements of vendor registration at the 2009 Agency Purchasing Conference held at Canaan Valley Resort and Conference Center.

# Proper Procurement Ethics Must Continue to Prevail

By Purchasing Director Dave Tincher

As reported nationally and locally in newspaper articles, a breach in procurement ethics can most definitely make the headlines. As agency procurement officers, it is your *responsibility* to follow the state laws, rules and procedures that have been approved to ensure that the state taxpayers' money is being used appropriately. It is your *duty* to spend these tax dollars in accordance with statutory and regulatory guidelines.

The *West Virginia Code* §5A-3-3(10) states that, as procurement officers, assures that the specifications and descriptions we prepare do not favor a particular brand or vendor. This language was included years ago in the State Code to ensure that competition was open to all vendors and their relative products and services, thus, resulting in the state receiving the best return on their dollars.

The Purchasing Division joins many other state procurement officers in abiding by the *Code of Ethics* of the National Institute of Governmental Purchasing, Inc. This Code outlines the responsibilities of this public service in terms of accountability and responsiveness to the public trust.

In addition to ensuring fairness in the competitive bid process, the *West Virginia Code* also demand the highest degree of discretion and ethical behavior. The *West*

*Virginia Code* addresses penalties for violating purchasing procedures:

**§5A-3-17: Purchases or contracts violating article void; personal liability**

If a spending unit purchases or contracts for commodities contrary to the provisions stated in the *Code* or the rules and regulations, such purchase or contract shall be void and of no effect. The head of such spending unit shall be personally liable for the costs of such purchase or contract and, if already paid out of state funds, the amount may be recovered in the name of the state in an appropriate action instituted therefore.

**§5A-3-29: Penalty for violation of article**

Any person who violates a provision of the *Code*, except where another penalty is prescribed, shall be guilty of a misdemeanor, and, upon conviction thereof, shall be confined in jail not less than ten (10) days nor more than one (1) year, or fined not less than \$10 dollars nor more than \$500, or both, in the discretion of the court.

**§5A-3-30: Obtaining money and property under false pretenses or by fraud from state; penalties**

It shall be unlawful for any person to obtain from the state under any contract made under the *Code*, by false pretense, token or



representation, or by delivery of inferior commodities, with intent to defraud, any money, goods or other property, and upon violation thereof, such person shall be guilty of a felony, and, upon conviction thereof, shall be confined in the penitentiary not less than one (1) year nor more than five (5) years, and be fined not exceeding \$1,000.

**§5A-3-31: Corrupt combinations, collusions or conspiracies prohibited; penalties**

It shall be unlawful for any person to corruptly combine, collude or conspire with one (1) or more persons with respect to the purchasing or supplying of commodities or printing to the state under the *Code* if the purpose or effect is either to lessen competition, or cause the state to pay a higher price, or cause one prospective vendor to be preferred over another.

Agency procurement officers are the ambassadors in your agency to inform, educate and explain the purchasing laws, rule and procedures to those individuals in your organization. At the 2009 Agency Purchasing Conference, an abundance of information was offered to our agency partners, so that they may in turn share with their superiors, subordinates and colleagues. Proper purchasing practices must always prevail!

## Purchasing Division's Jeanne Barnhart Honored for Dedication

Jeanne Barnhart, an Office Assistant III for the Communications and Technical Services Section of the Purchasing Division, was selected as the Department of Administration's *Employee of the Month* for October.

A state government employee for four years, Barnhart's primary duties include serving as the vendor registration coordinator, which carries the responsibility for processing all Vendor Registration and Disclosure Statement forms and annual registra-

tion fees. Barnhart explains the procedures, requirements and processes relating to doing business with the state and the state's competitive purchasing process to prospective vendors.

"The keys to an efficient employee are dedication, knowledge and pride. Jeanne's work ethic consists of all three of these components," said one co-worker. "To many of our customers, the vendor register coordinator is the first representative of our division, and in some cases, the state of West Virginia. Jeanne is a first-class

ambassador for the Purchasing Division and the state.

Another co-worker added, "Jeanne performs her job with pride, and rightfully so as she excels at what she does."

In her spare time, Barnhart likes to walk, read and do cross stitch. She was joined by her friends and co-workers at a special ceremony presented by Cabinet Secretary Robert W. Ferguson, Jr. on October 8 at the Purchasing Division office at 2019 Washington Street E. in Charleston.



**JEANNE BARNHART**  
Vendor Registration  
Coordinator

Buyers Network



# Four State Employees Receive Recognition at Agency Purchasing Conference Presentation

Four outstanding individuals in the state purchasing process were recognized at the 2009 Agency Purchasing Conference.

Purchasing Director Dave Tincher announced the recipients of the following annual awards during the group luncheon: Procurement Officer of the Year; Partner in Purchasing; and Friend of Purchasing.

Jamie Adkins with the Department of Environmental Protection was named this year's recipient of the Procurement Officer of the Year. Adkins has been working in public purchasing for more than six years, beginning as a purchasing assistant and moving quickly up to the position of agency procurement officer due to his excellent job performance.

On his nomination form, Adkins was described by his peers as "awesome, impressive, professional, helpful, wonderful and ethical." This is the 14<sup>th</sup> year the Purchasing Division has offered the Agency Procurement Officer of the Year award, which goes to the individual who has demonstrated the qualities of an exceptional purchasing agent.

For being this year's winner, Adkins received an engraved clock, a certificate of congratulation signed by Gov. Joe Manchin III, Cabinet Secretary Robert W. Ferguson, Jr. and Director Tincher. He will also receive complimentary lodging and registration to the 2010 Agency Purchasing Conference.

Alan Siemiaczko of the Lottery Commission was named this year's recipient of the Partner in Purchasing award that is given to

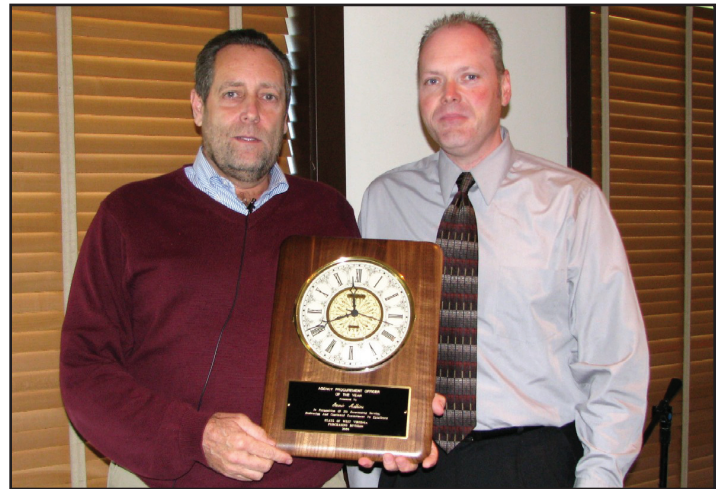
the individual who demonstrates exceptional professionalism in other programs administered by Purchasing such as travel, fleet management, surplus property and purchasing automation. He received plaque, a certificate of congratulation signed by Gov. Manchin, Cabinet Secretary Ferguson, and Director Tincher and will also receive complimentary lodging and registration to the 2010 Agency Purchasing Conference.

Siemiaczko was described as "dependable, considerate, professional and courteous" in his role at the Lottery Commission where he manages nearly 35 vehicles in the agency's fleet. He also assists in the inventory of fixed assets and tracks items retired to Surplus Property. This is the ninth year this award has been offered.

Last year, the Purchasing Division announced the creation of a new award, the Friend of Purchasing, to recognize the individual or individuals who have demonstrated support, cooperation and teamwork with the agency.

Two individuals were honored this year: Lisa Comer of the State Auditor's Office and Dawn Warfield of the Attorney General's Office

Warfield has worked for state government for more than 28 years with the last 21 years at the Attorney General's Office. Warfield was recognized for her close work with the Purchasing Division to ensure that contracts are



Purchasing Director Dave Tincher and Jamie Adkins of the Department of Environment Protection Agency, who received the **Procurement Officer of the Year** award.



Purchasing Director Dave Tincher and Alan Siemiaczko of the Lottery Commission, who received the **Partner in Purchasing** award.



Purchasing Director Dave Tincher and Lisa Comer of the State Auditor's Office, who received the **Friend of Purchasing** award.

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## Procurement Officer Profile...

### PEIA's Chip Myers Views Technology Among Important Changes

Chip Myers is not one to look back fondly on how "things used to be." Rather, the procurement officer for the West Virginia Public Employees Insurance Agency (PEIA) readily embraces the changes that technology and networking have brought in recent years.

"Technology means that so many of your resources are right there," Myers said, citing statewide contract information available on the Purchasing Division Web site. "Then you have the annual Purchasing Conference, and it offers the chance to meet with other procurement officers from throughout the state. It all makes things a lot easier."

Myers is someone with a long history in state purchasing, dating back to 1979 when he was hired by PEIA to process refunds. A Charleston native, Myers moved into the procurement function two years later. He admits that his position gives him the chance to wear many hats, ranging from travel management to procurement to paying bills. When asked what his title is, he jokes that he is a "JOAT": "jack of all trades."

Myers is quick to praise the Purchasing Divisions rules and regulations on bids. Though PEIA is exempt from Purchasing Division rules on professional and contractual services, Myers said the agency still follows them as a guideline. "We adhere to them," he said. "They offer a great way to evaluate a request for proposal or a request for quotation."

PEIA is exempt on professional services, such as third party administrative agreements, meaning the contracts are not bid through the Purchasing Division and instead, for health care plans, bid out, evaluated and awarded within PEIA, Myers said. All other standard procurements, such as furniture and technology, still are under the Purchasing Division guidelines.

Myers said the accessibility of statewide contracts is among the best changes in recent years. Before technology simplified access, keeping up with statewide contracts meant maintaining



Chip Myers has been with the West Virginia Public Employees Insurance Agency since 1979, and has been involved with procurement since 1981.

paper files, Myers said. Now, everything can be found on the Purchasing Division Web site. "There are very few things you can think of off the top of your head that you would use or purchase regularly that is not a statewide contract," he said. "All of this informa-

tion is now just at your fingertips."

He also believes changes in spending limits simplified purchasing. "The limits had never kept up with inflation," he said. "Now, we have greater authority and flexibility to purchase what we need when we need it."

### In-House Training Continues Through November

The Purchasing Division's in-house training sessions for 2009 continue through the month of November with the three classes scheduled and available to state agency purchasers.

The **Statewide Contracts** class is set for 10 a.m.-noon, on Thursday, November 5, in Building 15 of the Gaston Caperton Training Center (Building 7).

The **Best Value Procurement** class is scheduled for 10 a.m.-11 a.m., on Thursday, November 12, in Building 15, 1st Floor Conference Room. This workshop is only for individuals requiring Request for Proposal evaluation committee training.

The **Acquisitions Planning** training will be conducted at 10 a.m.-noon, on Wednesday, November 18, in the Consolidated Public Retirement Board conference room in Kanawha City.

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# Evaluations Confirm the 2009 Agency Conference Right on Target with Excellent Reviews Received

Once again, the 2009 Agency Purchasing Conference received excellent reviews from this year's attendees. Of the 222 agency representatives in attendance, 65 (29 percent) completed an evaluation form.

The most notable categories demonstrating the success of the conference were responses to the organization of the conference and overall opinion of the conference categories.

Of the responses, 73 percent rated the organization of the conference as "excellent" while the remaining responses rated it as "good." Sixty-two percent rated the overall opinion of the conference as "excellent" and the remaining responses rated the conference as "good."

"The very favorable responses are a reflection of our staff listening to the attendees. Each year, we use feedback from these evaluations as a building block for the next conference. Much of our conference program is

	<b>Excellent</b>	<b>Good</b>	<b>Fair</b>	<b>Poor</b>
Hotel Reservations	25 (41%)	28 (47%)	6 (10%)	1 (2%)
Hotel Accommodations	15 (26%)	24 (41%)	14 (24%)	5 (9%)
Conference Registration (Purchasing Division)	47 (75%)	14 (23%)	1 (1%)	1 (1%)
Location of Conference (Canaan Valley Resort)	24 (38%)	24 (38%)	13 (20%)	3 (4%)
Length of Conference	25 (40%)	34 (55%)	2 (3%)	1 (2%)
Game Show (Wheel of Misfortune)	33 (63%)	19 (37%)	0 (0%)	0 (0%)
Organization of Conference	46 (73%)	17 (27%)	0 (0%)	0 (0%)
Overall Opinion of Conference	39 (62%)	24 (38%)	0 (0%)	0 (0%)

centered on what our procurement officers wish to see at the conference," said Purchasing Director Dave Tincher. "We will continue those elements we know are beneficial to our

attendees and work diligently to incorporate changes that are sought by attendees."

The Purchasing Division thanks all who submitted an evaluation form.

## AWARDS

Continued from Page 3



Purchasing Director Dave Tincher and Dawn Warfield of the Attorney General's Office, who received the **Friend of Purchasing Award**.

properly approved, as to form, before being finalized.

Comer was recognized as one who assists the Purchasing Division with a multitude of issues relating to payments, contracts and travel and being a regular guest presenter at the Agency Purchasing Conference.

Both recipients received a certificate of appreciation and a floral arrangement.

Congratulations to all of our distinguished recipients for their dedicated work toward the betterment of the state purchasing process in West Virginia.

## TRAINING

Continued from Page 4

Information on the Purchasing Division's in-house training programs have been distributed to state procurement officers and will receive reminder about the workshops throughout the year. The sessions are free and open to those agency purchasers who are involved with the state procurement process. This is a first-year initiative of the Purchasing Division.

Next month, the schedule for the 2010 in-house training sessions will be included in **The Buyers Network**.

For a complete list of classes offered throughout the year with dates, times and course descriptions, or to register for a class, visit [www.state.wv.us/admin/purchase/training/inhouse.htm](http://www.state.wv.us/admin/purchase/training/inhouse.htm) or contact Staff Development Specialist Brian Holmes at 304-558-7022 or by e-mail at [Brian.J.Holmes@wv.gov](mailto:Brian.J.Holmes@wv.gov).

Previous issues of *The Buyers Network* are available at <http://www.state.wv.us/admin/purchase/BN/bnlist.htm>



# As if the Agency Purchasing Conference Was Not Educational Enough...The Wheel of Misfortune!

The Purchasing Division has found the perfect recipe for a relaxed evening of education and fun for the attendees of the Agency Purchasing Conference.

Combine a popular game show - adapted with Purchasing Division components - with a lively audience and a host with more vigor than the Energizer Bunny and you have the "Wheel of Misfortune."

For the second consecutive conference, Buyer Supervisor Chuck Bowman served as host of the event, which modifies the popular television game with purchasing-related themes. The game show is an annual event of the conference giving attendees, who are the contestants, a chance to test



Charlyn Miller of the Division of Rehabilitative Services gives the Wheel of Misfortune a spin as host Chuck Bowman watches.

their knowledge in a fun way.

Like the real game, contestants would spin a wheel where the dollar thresholds matched amounts relating

to the purchasing process. Contestants then guessed at letters to complete word puzzles, all of which were purchasing-related. The winner of each round continued

playing while two new contestants were brought on stage to challenge the winner.

Bowman kept the game moving, with the assistance of his co-hosts, "Vanna and Hannah White" (Purchasing Division's Diane Holley-Brown and Debbie Watkins). Winners received such superb prizes like an autographed photo of Bowman and a photograph of James A. Tierney, the first-ever Purchasing Division director. All contestants received a Wheel of Misfortune cookie.

In the end, the game show revealed that being quizzed by the extremely witty Chuck Bowman is indeed a fun way to learn more about state purchasing.

## CONFERENCE

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Two more notable changes to this year's conference structure included an increase in the number of simultaneous classes and the start time of the conference.

"We were able to add a fifth classroom this year which alleviated the overcrowding problem from two years ago when we had just four classrooms in use at one time," said Purchasing Staff Development Specialist Brian Holmes, "Plus we changed the start time of the conference to allow attendees more time to travel and check in."

Purchasing Division staff and guest presenters offered 27 workshop topics from which attendees could choose. These topics included Agency Delegated Purchasing; Ac-

quisition Planning; Basic Purchasing; Change Order Process; Construction Purchases; Fleet Management; Inspection Services; Piggybacking Contracts; Purchase Order Encumbrance; Documents and Approvals; Purchasing Web Site Tour; Request for Quotations; Request for Proposal-Mock Evaluation; Sole Source Process; State-wide Contracts; Expression of Interest; Surplus Property; Pre-Bid Conferences; Travel Management; Fixed Assets; and Vendor Registration.

The Purchasing Division appreciates the extra assistance received from our outside presenters, including Lisa Comer of the State Auditor's Office (Process Payment); Penney Hall of the Depart-

ment of Administration (State Use Program); Guy Perry of Correctional Industries (Correctional Industries); Barbara Ratliff of the State Auditor's Office (Travel Management); and Dawn Warfield of the Attorney General's Office (Legal Issues).

The conference gave the Purchasing Division staff and procurement individuals an opportunity to connect outside of the confines of work and the office to discuss work-related issues.

"Accessibility of our staff is not limited to the workshop session, but throughout the entire conference," Purchasing Director Dave Tincer told those in attendance during the opening session.

Additional conference high-

lights included the recognition of the Purchasing Division's annual award winners (see page 4), the highly entertaining and educational game show "Wheel of Misfortune," (see above).

Mark your calendars now as the 2010 conference is set for September 14-17 again at Canaan Valley Resort and Conference Center. More details will be shared in the coming months in **The Buyers Network**.

The Purchasing Division extends its gratitude to the agency representatives who attended this training event as well as our guest speakers and staff members who worked hard to make this year's Agency Purchasing Conference a great success.

# Current Statewide Contract Update

(As of October 15, 2009)

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](mailto:Jo.A.Adkins@wv.gov).

## New Awards

Contract	Vendor	Description	Dates
MOTL09CA	Hampton Inn	Hotel/motel lodging	01/01/2009 - 12/31/2009
MOTL09CB	Wingate Inn	Hotel/motel lodging	01/01/2009 - 12/31/2009
MOTL09S	Ramada Plaza Hotel	Hotel/motel lodging	01/01/2009 - 12/31/2009
MOTL09R	Holiday Inn Express & Suites	Hotel/motel lodging	01/01/2009 - 12/31/2009
MV10A	Matheny Motor Truck Co.	Automobiles	10/15/2009 - 10/14/2010
MV10B	Stephens Auto Center	Automobiles	10/15/2009 - 10/14/2010
MV10C	Bob Robinson Chevrolet Oldsmobile	Automobiles	10/15/2009 - 10/14/2010
MV10D	Jim Robinson Inc.	Automobiles	10/15/2009 - 10/14/2010
MV10E	Jim Robinson Ford Lincoln Mercury	Automobiles	10/15/2009 - 10/14/2010
MV10F	Country Club Chrysler Dodge	Automobiles	10/15/2009 - 10/14/2010
MV10G	Hurricane Chevrolet	Automobiles	10/15/2009 - 10/14/2010
MV10H	Whiteside Chevrolet	Automobiles	10/15/2009 - 10/14/2010

## Under Evaluation

Contract	Description	Bid Opening	Under Eval
FLRCOV09	Floor Covering	08/19/2009	Yes
SBUS10	School Buses	10/20/2009	Yes
FUELTT11	Fuel by tanker trucks	10/23/2009	Yes
FUELTW11	Fuel by tanker wagons	10/23/2009	Yes
HOUSE10	Housekeeping materials	10/15/2009	Yes

## Renewals

Contract	Vendor	Description	Date
ITECH07AB	Unisys	Technical support	03/01/2009 - 02/28/2010
ABATMNT08A	Master Mechanical Insulation	Asbestos removal	11/21/2009 - 11/20/2010
ABATMNT08B	Raze International Inc.	Asbestos removal	11/21/2009 - 11/20/2010
ABATMNT08D	Astar Abatement Inc.	Asbestos removal	11/21/2009 - 11/20/2010

## Renewals

Contract	Vendor	Description	Date
LABSUP08	Thomas Scientific	Lab supplies	08/15/2009 - 08/14/2010
ITECH06V	Unisys Corp.	Technical staffing	09/01/2008 - 08/31/2009

## Contracts Extended

Contract	Vendor	Description	Date
HOUSE06	Winans Sanitary Supply Co.	Housekeeping materials	09/01/2009 - 09/30/2009
FLRCOV07	Family Carpets Inc.	Floor coverings	10/01/2009 - 10/31/2009
FUEL10A	Guttman Oil Co.	Gasoline	10/01/2009 - 11/14/2009
FUEL10B	R T Rogers Oil Co.	Gasoline	10/01/2009 - 11/14/2009
FUEL10C	Bruceston Petroleum Co.	Gasoline	10/01/2009 - 11/14/2009
FUEL10D	Tri State Petroleum Corp	Gasoline	10/01/2009 - 11/14/2009
FUEL10E	Harris Oil Co.	Gasoline	10/01/2009 - 11/14/2009
FUELHD10A	Guttman Oil Co	Diesel & heating fuel	10/01/2009 - 11/14/2009
FUELHD10B	R T Rogers Oil Co	Diesel & heating fuel	10/01/2009 - 11/14/2009
FUELHD10C	Bruceston Petroleum Co	Diesel & heating fuel	10/01/2009 - 11/14/2009
FUELHD10D	Tri State Petroleum Corp	Diesel & heating fuel	10/01/2009 - 11/14/2009

## 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.

### NOVEMBER

ALCOHOL09 .....	Ethyl alcohol
DATA09 .....	Provide data circuits
HRDEV09 .....	Internet-based human resources tools
LIGHT07 .....	Lighting bulbs
NTIRES08 .....	New tires
PAPER09 .....	Various papers
PHOTO07 .....	Photo and film supplies

### DECEMBER

ERCYCLE07 .....	Recycling of electronic equipment
ITECH07 .....	Technical services
WAN08 .....	Wide area network hardware, software and service

# 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.

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\_\_\_\_\_

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Need Information about \_\_\_\_\_  
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